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# CLASSIFIED SPEECH MODELS

*By the Same Author*

THE SPOKEN WORD

*A Text-Book in Speech Composition*

# CLASSIFIED SPEECH MODELS

## OF EIGHTEEN FORMS OF PUBLIC ADDRESS

BY

WILLIAM NORWOOD BRIGANCE 1896-1960

*Professor of Speech in Wabash College*

Anderson College and Theological Seminary

NEW YORK

F. S. CROFTS & CO.

1930

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*To*

CHARLES HENRY WOOLBERT

scholar, educator,
friend

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# PREFACE

Classifications of speeches are of many kinds and arise from many points of view. The one used in this volume is based, not upon the speech *purpose*, but the speech *occasion*. It represents the conviction that this is the simplest and the most practical of classifications; for (1) it compels a careful study by students of each of the general occasions leading to the speech; (2) it allows an analysis of the special problems involved in each of these situations; (3) it stimulates the examination of the various possible speech purposes that may grow out of these situations.

It matters not, from the viewpoint of this classification, whether a speech be old or new—for the merit of a good speech does not decrease with reasonable age, nor is that of a poor one enhanced by its youth. But there also is another viewpoint. From a tiresome emphasis in the past upon models, "classical" by tradition and venerable with age, we have reacted to the shibboleth of modern speeches only. This reaction was natural. The choice of models for this collection was influenced by the conviction that, tempered by moderation, this reaction is also wholesome. At the same time, however, it was thought neither necessary nor wise wholly to lay aside the older models. A few seemed unhesitatingly superior to anything modern that was known and available. They have been included. Others represent a peculiar type, a special treatment, worthy of study. They also have been included. Being here set alongside contemporary models, they offer a fair comparison between the speech style of an earlier day and of our own—should anyone think the comparison worthy of study. But the clear majority of speeches are recent ones.

Another consideration, however, in selecting models was more important than the age of any speech. There are thousands of "frozen essays," reputing to be speeches, entombed in collections of "Great

Orations." They must have been very dull speeches. Or if they were indeed real speeches—with spice, life, and a human touch to them—then their prudent authors literally blue-pencilled both life and soul out of them, retouched them in crêpe, and left their remains lying in state for those who might care to view them. But for this collection special effort has been made to get speeches as they come fresh from the lips of each speaker with all of the backlash from the audience included. In a few instances, speeches have been included where it was known that they were a revised copy, but in each case the revision had not done violence to that speaker-to-audience contact which is the soul of a speech. In a few other instances, speeches were included which represented the author's copy of the speech written out in advance. But in such cases, the speeches were intended for a formal occasion where advance copy might fairly represent the actual speech—as with an inaugural or commemorative address. But with these justifiable exceptions, the specimens chosen for this selection have been taken from the stenographer's notes. And they endeavor to propound vigorously the doctrine that speeches are not, and never can be, mere essays; that they exist, not on paper, but only in a three-dimensional situation where a man, having a purpose, faces an audience alive with human emotions, and follows through with that give-and-take which we call "contact."

As an expounder of this doctrine, I feel a genuine regret at being unable to lay out in the cold type of this volume, the sound of the speaker's voice—with its color, play, and informing inflections; his bodily action—modest or aggressive; his whole personality—stiff or genial. But as a poor, though best available substitute, I have tried to set down faithfully the details of each speech situation—speaker, occasion, and audience—so that the circumstances which produced the speech might be understood in full by the reader. There is also added along the way, little "note this!" signs, to emphasize certain special qualities of the speech, to point out the hidden purpose of the speaker, to explain allusions, or otherwise to offer a glimpse between the lines and so make each model a genuine speech instead of a "frozen essay."

Perhaps it should be added that no speech, by appearing herein, is considered entitled to bear the label, "perfect." Presumably, there

are speeches here which will arouse criticism. But because they were unorthodox in plan, movement, or style—verily because they do challenge debatable criticism—they are included.

W. N. B.

Crawfordsville, Indiana

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To all of these, I express deepest thanks.

W. N. B.

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# BOOK ONE

# MOTIVATIVE SPEECHES

# I. GENERAL CAMPAIGN SPEECHES

## I. A NEW CALL TO DUTY

### WOODROW WILSON

*Speaker:* Twenty-eighth President of the United States, 1913–1921. Formerly Professor of Jurisprudence, Princeton University, 1890–1902; President of Princeton University, 1902–1910; Governor of New Jersey, 1910–1912. Author of numerous historical and political works.

*Occasion:* Commencement exercises of the United States Naval Academy, Annapolis, Md., June 2, 1916. Mr. Wilson was attending these exercises merely in his official capacity as Commander-in-Chief of the Navy and came with no intention of speaking. But being called upon to say a few words before presenting the diplomas, he gave the following short address, after which he personally gave each graduate his diploma.

*Audience:* The 178 members of the graduating class; underclassmen; navy officials.

---

Observe in this speech how neatly and effectively the speaker preaches a little sermon on the old, and often tiresome, subject of *duty*. You will notice that he connects duty not only to patriotism but also to the professional pride of a naval officer.

(From the Associated Press copy found in newspapers of June 2, 1916, being presumably the identic, unrevised copy. This address is also found in *The Public Papers of Woodrow Wilson*, Vol. II, Harper and Brothers, 1926.)

It had not been my purpose when I came here to say anything today, but as I sit here and look at you youngsters, I find that my feeling is a very personal feeling indeed. I know some of the things you have been through and I admire the way in which you have responded to the new call of duty. I would feel that I had done neither you nor myself justice if I did not tell you so.

I had thought there was one interesting bond that united us. You were at Washington three years ago and saw me get into trouble. And now I am here to see the beginning of your trouble. Your trouble will last longer than mine, but I doubt if it will be any

more interesting. I have had a liberal education in the last three years with which nothing that I underwent before bears the slightest comparison.

But what I want to say to you young men is this: I can illustrate it in this way: Once in a while when youngsters here or at West Point have forgotten themselves and done something that they ought not to do and were about to be disciplined, perhaps, severely for it, I have been appealed to by their friends to excuse them from the penalty. Knowing that I have spent most of my life at a college, they commonly say to me: "You know college boys. You know what they are. They are heedless youngsters very often and they ought not to be held up to the same standards of responsibility that older men must submit to."

And I have always replied: "Yes, I know college boys, but while these youngsters are college boys, they are something more. They are officers of the United States. They are not merely college boys. If they were, I would look on derelictions of duty on their part in another spirit, but any dereliction of duty on the part of a naval officer of the United States may involve the fortunes of a nation and can not be overlooked."

Do you not see the difference? You can not indulge yourselves in weaknesses, gentlemen. You can not forget your duty for a moment because there might come a time when that weak spot in you should affect you in the midst of a great engagement and then the whole history of the world might be changed by what you did not do or did wrong. So that the personal feeling I have for you is this: We are all bound together, I for the time and you permanently, under a special obligation, the most solemn that the mind can conceive. The fortunes of a nation are confided to us. Now, that ought not to depress a man. Sometimes I think nothing is worth while that is not hard. You do not improve your muscle by doing the easy thing; you improve it by doing the hard thing, and you get your zest by doing a thing that is difficult, not a thing that is easy. I would a great deal rather, so far as my sense of enjoyment is concerned, have something strenuous to do than have something that can be done leisurely and without a stimulation of the faculties.

Therefore, I congratulate you that you are going to live your lives under the most stimulating compulsion that any man can feel, the sense, not of private duty merely, but of public duty also. And then, if you perform that duty, there is a reward awaiting you which is superior to any other reward in the world. That is the affectionate remembrance of your fellow-men—their honor, their affection. No man could wish for more than that or anything higher than that to strive for. I, therefore, want you to know, gentlemen, if it is any satisfaction to you, that I shall personally follow your careers in the days that are ahead of you with real personal interest. I wish you godspeed, and remind you that yours is the honor of the United States.

## II. NABOTH'S VINEYARD

### WILLIAM JENNINGS BRYAN

*Speaker:* (1860–1925) American orator and statesman; United States Congressman from Nebraska, 1891–1895; won the Democratic nomination for President, 1896, by a dramatic and famous speech, "The Cross of Gold"; also nominated for President in 1900 and 1908; Secretary of State 1913–1915; the most popular Chautauqua and popular lecturer of his generation.

*Occasion:* Joint meeting of the Colorado state committees of the Democratic, Populist, and Silver Republican Parties; at Denver, January 17, 1899. The issue of Imperialism, or retention of the Philippines, had just arisen with the close of the Spanish War. Public opinion was as yet uncrystallized, or at least but partially crystallized. From this occasion, it might fairly be claimed that this is not a general, but a political campaign speech. Yet confronted by the representatives of three parties, in which the followers of each were divided in opinion on this question, the speaker is arguing his personal view and he carefully refrains from making his discussion political in nature.

*Audience:* The audience was much bigger than merely the committee members sitting before the speaker. The press carried the message to the faithful and the doubtful. The committee members would also re-echo the message to their constituents.

---

Observe how the speaker, with only a few minutes at his disposal, linked the issue as he saw it with the Ten Commandments. Believing that his hearers

accepted those Commandments, he undertook to show their violation in the policy of Imperialism. A careful reading of "Mental Stereotypes" found in pp. 165–171 of *The Spoken Word* is worth while in connection with this speech. Note especially "the speaker's application" on page 169.

(From the *Speeches of William Jennings Bryan,* Vol. II, Funk & Wagnalls, 1909.)

The Bible tells us that Ahab, the king, wanted the vineyard of Naboth and was sorely grieved because the owner thereof refused to part with the inheritance of his fathers. Then followed a plot, and false charges were preferred against Naboth to furnish an excuse for getting rid of him.

"Thou shalt not covet!" "Thou shalt not bear false witness!" "Thou shalt not kill"—three commandments broken, and still a fourth, "Thou shalt not steal," to be broken in order to get a little piece of ground! And what was the result? When the king went forth to take possession, Elijah, that brave old prophet of the early days, met him and pronounced against him the sentence of the Almighty. "In the place where the dogs licked the blood of Naboth shall the dogs lick thy blood, even thine."

Neither his own exalted position nor the lowly station of his victim could save him from the avenging hand of outraged justice. His case was tried in a court where neither wealth, nor rank, nor power, could shield the transgressor.

Wars of conquest have their origin in covetousness, and the history of the human race has been written in characters of blood because rulers have looked with longing eyes upon the lands of others.

Covetousness is prone to seek the aid of false pretense to carry out its plans, but what it cannot secure by persuasion it takes by the sword.

Senator Teller's amendment to the intervention resolution saved the Cubans from the covetousness of those who are so anxious to secure possession of the island, that they are willing to deny the truth of the declaration of our own Congress, that "the people of Cuba are, and of right ought to be, free."

Imperialism might expand the nation's territory, but it would

contract the nation's purpose. It is not a step forward toward a broader destiny; it is a step backward, toward the narrow views of kings and emperors.

Dr. Taylor has aptly expressed it in his "Creed of the Flag," when he asks:

> Shall we turn to the old world again
> With the penitent prodigal's cry?

I answer, never. This republic is not a prodigal son; it has not spent its substance in riotous living. It is not ready to retrace its steps and, with shamed face and trembling voice, solicit an humble place among the servants of royalty. It has not sinned against heaven, and God grant that the crowned heads of Europe may never have occasion to kill the fatted calf to commemorate its return from reliance upon the will of the people to dependence upon the authority which flows from regal birth or superior force.

We cannot afford to enter upon a colonial policy. The theory upon which a government is built is a matter of vital importance. The national idea has a controlling influence upon the thought and character of the people. Our national idea is self-government, and unless we are ready to abandon that idea forever we cannot ignore it in dealing with the Filipinos.

That idea is entwined with our traditions; it permeates our history; it is a part of our literature.

That idea has given eloquence to the orator and inspiration to the poet. Take from our national hymns the three words, free, freedom and liberty, and they would be as meaningless as would be our flag if robbed of its red, white, and blue.

Other nations may dream of wars of conquest and of distant dependencies governed by external force; not so with the United States.

The fruits of imperialism, be they bitter or sweet, must be left to the subjects of monarchy. This is the one tree of which the citizens of a republic may not partake. It is the voice of the serpent, not the voice of God, that bids us eat.

## III. A PLEA FOR THE NEGRO RACE

### BOOKER T. WASHINGTON

*Speaker:* (1858–1915) Negro educator and leader; born a slave in Franklin County, Va., in early life worked at a salt-furnace and in a coal mine; educated at night schools and at Hampton Institute, Va.; founder and president of Tuskegee Normal and Industrial Institute, Ala., 1881–1915.

*Occasion:* Opening of the Cotton State and International Exposition at Atlanta, Ga., September 18, 1895. This was the first important national occasion where any Negro had been asked to speak from the same platform with Southern white men. The situation demanded that something be said pertinent to the race question, yet a single ill-advised utterance would have wrecked, in a large measure, the success not only of this Exposition but of others to come for years into the future. Newspapers, North and South, discussed the coming speech; people, black and white, came to the train to point the speaker on his way to the Exposition; thousands, North and South, white and black, crowded the exposition building to hear him speak. And so genuine and sane was the speech, and so exquisitely was it adapted to the situation, that it received a tremendous ovation and was published in full by newspapers all over the country with high editorial praise. The return trip to Tuskegee became a triumphal procession for the speaker.

*Audience:* Best described by a white farmer, near Tuskegee, to Booker T. Washington when he met the latter on his way to the Exposition: "Washington, you have spoken before the Northern white people, the Negroes in the South, and to us country white people in the South; but in Atlanta, tomorrow, you will have before you the Northern whites, the Southern whites, and the Negroes all together. I am afraid you have got yourself into a tight place." (For further details of this speech, see Booker T. Washington, *Up From Slavery.*)

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(From *The Atlanta Constitution,* September 19, 1895; see also *The Outlook,* February 2, 1901, and Booker T. Washington's autobiography, *Up From Slavery,* 1901, Doubleday, Page & Company.) Each of these sources prints the identic copy. It is certain that Booker T. Washington carefully wrote out and memorized every word of the speech.

MR. PRESIDENT, GENTLEMEN OF THE BOARD OF DIRECTORS, AND CITIZENS:

One-third of the population of the South is of the Negro race.

No enterprise seeking the material, civil, or moral welfare of this section can disregard this element of our population and reach the highest success. I but convey to you, Mr. President and Directors, the sentiment of the masses of my race when I say that in no way have the value and the manhood of the American Negro been more fittingly and generously recognized than by the managers of this magnificent Exposition at every stage of its progress. It is a recognition which will do more to cement the friendship of the two races than any occurrence since the dawn of our freedom.

Not only this, but the opportunity here afforded will awaken among us a new era of industrial progress. Ignorant and inexperienced, it is not strange that in the first years of our new life we began at the top instead of at the bottom; that a seat in Congress or the State Legislature was more sought than real estate or industrial skill; that the political convention or stump speaking had more attractions than starting a dairy-farm or truck-garden.

A ship lost at sea for many days suddenly sighted a friendly vessel. From the mast of the unfortunate vessel was seen the signal: "Water, water, we die of thirst!" The answer from the friendly vessel at once came back: "Cast down your bucket where you are."

A second time the signal, "Water, water; send us water!" ran up from the distressed vessel, and was answered: "Cast down your bucket where you are." And a third and a fourth signal for water was answered: "Cast down your bucket where you are." The captain of the distressed vessel, at last heeding the injunction, cast down his bucket, and it came up full of fresh, sparkling water from the mouth of the Amazon River.

To those of my race who depend on bettering their condition in a foreign land, or who underestimate the importance of cultivating friendly relations with the Southern white man, who is their next door neighbor, I would say: "Cast down your bucket where you are"—cast it down in making friends in every manly way of the people of all races by whom we are surrounded. Cast it down in agriculture, mechanics, in commerce, in domestic service, and in the professions. And in this connection it is well to bear in mind that whatever other sins the South may be called upon to bear, when it comes to business, pure and simple, it is in the South that

the Negro is given a man's chance in the commercial world, and in nothing is this Exposition more eloquent than in emphasizing this chance. Our greatest danger is, that in the great leap from slavery to freedom we may overlook the fact that the masses of us are to live by the productions of our hands, and fail to keep in mind that we shall prosper in proportion as we learn to dignify and to glorify common labor and put brains and skill into the common occupations of life; we shall prosper in proportion as we learn to draw the line between the superficial and the substantial, the ornamental gewgaws of life and the useful.

No race can prosper until it learns that there is as much dignity in tilling a field as in writing a poem. It is at the bottom of life we must begin, and not at the top. Nor should we permit our grievances to overshadow our opportunities.

To those of the white race who look to the incoming of those of foreign birth and strange tongue and habits for the prosperity of the South, were I permitted I would repeat, what I say to my own race, "Cast down your bucket where you are." Cast it down among 8,000,000 Negroes whose habits you know, whose loyalty and love you have tested in days when to have proved treacherous meant the ruin of your firesides. Cast down your bucket among these people who have, without strikes and labor wars, tilled your fields, cleared your forests, builded your railroads and cities, and brought forth treasures from the bowels of the earth, and helped make possible this magnificent representation of the progress of the South.

Casting down your bucket among my people, helping and encouraging them as you are doing on these grounds, and to education of head, hand, and heart, you will find that they will buy your surplus land, make blossom the waste places in your fields, and run your factories. While doing this, you can be sure in the future, as in the past, that you and your families will be surrounded by the most patient, faithful, law-abiding, and unresentful people that the world has seen.

As we have proved our loyalty to you in the past, in nursing your children, watching by the sick-bed of your mothers and fathers, and often following them with tear-dimmed eyes to their

graves, so in the future, in our humble way, we shall stand by you with a devotion that no foreigner can approach, ready to lay down our lives, if need be, in defense of yours, interlacing our industrial, commercial, civil, and religious life with yours in a way that shall make the interests of both races one. In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress.

There is no defense or security for any of us except in the highest intelligence and development of all. If anywhere there are efforts tending to curtail the fullest growth of the Negro, let these efforts be turned into stimulating, encouraging, and making him the most useful and intelligent citizen. Efforts or means so invested will pay a thousand per cent. interest. These efforts will be twice-blessed—"blessing him that gives and him that takes."

There is no escape through law of man or God from the inevitable:—

> The laws of changeless justice bind
> Oppressor with oppressed;
> And close as sin and suffering joined
> We march to fate abreast.

Nearly sixteen millions of hands will aid you in pulling the load upwards, or they will pull against you the load downwards. We shall constitute one-third and much more of the ignorance and crime of the South or one-third its intelligence and progress; we shall contribute one-third to the business and industrial prosperity of the South, or we shall prove a veritable body of death, stagnating, depressing every effort to advance the body politic.

Gentlemen of the Exposition, as we present to you our humble effort at an exhibition of our progress, you must not expect overmuch. Starting thirty years ago with the ownership here and there in a few quilts and pumpkins and chickens (gathered from miscellaneous sources), remember that the path that has led us from these to the inventions and production of agricultural implements, buggies, steam-engines, newspapers, books, statuary, carving, paintings, the management of drug stores and banks has not been trodden without contact with thorns and thistles.

While we take just pride in what we exhibit as a result of our

independent efforts, we do not for a moment forget that our part in this exhibition would fall far short of your expectations but for the constant help that has come to our educational life, not only from the Southern States, but especially from Northern philanthropists, who have made their gifts a constant stream of blessing and encouragement.

The wisest among my race understand that the agitation of questions of social equality is the extremest folly, and that progress in the enjoyment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing. No race that has anything to contribute to the markets of the world is long in any degree ostracized. It is right and important that all privileges of the law be ours, but it is vastly more important that we be prepared for the exercise of these privileges. The opportunity to earn a dollar in a factory just now is worth infinitely more than the opportunity to spend a dollar in an opera-house.

In conclusion, may I repeat that nothing in thirty years has given us more hope and encouragement, and nothing has drawn us so near to you of the white race, as the opportunity offered by this Exposition; and here bending, as it were, over the altar that represents the results of the struggles of your race and mine, both starting practically empty-handed three decades ago, I pledge that in your effort to work out the great and intricate problems which God has laid at the doors of the South you shall have at all times the patient, sympathetic help of my race; only let this be constantly in mind that, while from representations in these buildings of the product of the field, of the forest, of mine, of factory, letters, and art, much good will come: yet far above and beyond material benefits will be that higher good, that let us pray God will come, in a blotting out of sectional differences and racial animosities and suspicions, in a determination even in the remotest corner to administer absolute justice, in a willing obedience among all classes to the mandates of law, and a spirit that will tolerate nothing but the highest equity in the enforcement of law. This, coupled with our material prosperity, will bring into our beloved South a new heaven and a new earth.

## IV. THE CHALLENGE TO COLLEGE STUDENTS

FRANCES KILLEFER

*Speaker:* A senior in the University of Illinois, 1924–1925.
*Occasion:* The thirty-fifth annual contest of the Northern Oratorical League, Northwestern University, May 1, 1925. The league membership comprised at that time the Universities of Illinois, Iowa, Michigan, Minnesota, Wisconsin, and Northwestern University. This speech was awarded first place.
*Audience:* Faculty, alumni, students, and friends of the various universities; judges.

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The peculiar quality of this speech lies in its exquisite adaptation to the audience. Here is a college student who has observed college weaknesses, both critically and tolerantly. *Every fact she comments on is as well known to the audience as to herself.* But the cleverness of treatment, serves to make listeners turn and look again at these old sights, and to see them in a new light.

This audience tonight offers a favorable occasion for my subject, one that touches college life. Your interest here proves that you are thinking of the more serious features of campus activities. So with confidence I give you the words of a challenge flung at us from the pen of an eminent writer, who has offered these words: "The chief difference between the British and the American student is that the British student is interested in what his university will make of him; the American student is interested only in what people will think he is." In other words, this critic has said that the one seeks growth and progress, the other outward show; that you and I are pretenders; that we are not seeking for true values in our college education, but for a mere polish that will give us only the appearance of college-bred.

At this we might only smile and cry, "How grossly ignorant such a one is of us." We might flippantly remark, "How familiar his pessimism sounds to us the younger generation, a pessimism which we easily consider traditional; we are used to that. We might declare that he is obviously prejudiced and therefore in-

capable of judging. Yet, again, we can take quite a different attitude; we can consider his words as an echo of a universal opinion, can face them as such, and by introspection, discover how much truth they contain. Let us do so.

This challenge is not strange to us; it confronts us in our conversation, our thinking, and our daily reading; one that we like to ignore but for its increasing prominence on the horizon of our college life. It raises an issue which is nothing less than of extreme importance to all of us. Here we stand, in many ways the most highly-cherished member of the American family, accused of insincerity, of a false sense of life. Yet, though censured and condemned, we suspect that we are still a specially valued part of society. The world may pity us, envy us, particularly our freedom and our egotism, but always it likes to protect and to safeguard us even as the springtime cherishes her flowers. We can properly paraphrase an old saying into, All the world loves a college student. For in us must be the promise of the future; in us must rest the responsibility of coming leadership; in us lies the hope for progress of the next generation. So that if we must some day cope with society's problems and yet are building with false notions of life, then well we may ask, What is college life worth to us and to the rest of the world?

With this question before us let us here tonight draw a picture of campus life with such clarity of purpose, such honesty of intention, such candor of statement and accuracy of delineation that stepping back from the canvas we may say, "There are our faults, those are our mistakes." Permit me to make the picture with broad strokes allowing you to apply the tints and the hues. Let us begin.

First, college today is chaotic. It is busier than the traditional three-ring circus, you and I the performers trying to play in all three rings at once. It is a carnival maze, you and I distractedly looking for the exit. It is a juggling act, we the jugglers, focusing our eyes on the air full of campus knives, balls, and bottles. It is a salad of multifarious activities, with a dressing of school spirit enriching the taste of the whole and a dash of academic paprika giving a pungent flavor.

Next, college life is exhausting. We enter the arena of campus

life; we study; we plan great scholastic triumphs. Soon enough we begin searching for the liveliest path amidst the hubbub of college events. We cannot stand the pace, and every June sees us frayed and bedraggled. It is a life that exacts all the vitality of which we are possessed. Little time is there for repose and almost no time for quiet thinking. Yet despite all this there seems to be a tendency to increase the number of college activities with the increase in the number of students. The idea of the individual seems to be that each added activity is just for him, that without his support it will fail and digrace his alma mater. Bravely he shoulders the responsibility with an ever-increasing access of college spirit swelling within and an ever-decreasing capacity for doing anything well. He follows the American motto, "Get into the swim whether you drown or float, but get in!" It is not the purpose of the college student to analyze what benefit he may be deriving; he is too busy watching the Stop and Go signals that get in his way. His purpose rather is to collect many college pins, badges, honors, and pictures in the college publications, and to be considered a "big" man on the campus. With such an existence for four years should we marvel that our average college graduate is a weary, sophisticated, blasé individual with a one-track ambition, and that merely of gaining prominence in the sight of his fellowmen even at the cost of cheating not only himself but society also?

And next, college is conforming. Main Street has gone to college and there has found its melting-pot. No longer is going to college exclusive; society has decreed that her young people be given equal opportunity in seeking an education. Figuratively speaking along Main Street you can see a banner flying in the wind with this inscription on it: "College is not merely your privilege, but your right." College has now become a necessity: it is now even more than the thing to do. From the finest homes and from the most mediocre homes we come, bringing our own cherished college purpose with us, only to lose it in the stamping mill of college conformity. At the end of our senior year we may well wonder what the purpose was, and how we could have lost it. An observer of life might watch with pleasure the freshman while being stripped of idiosyncrasies that might distinguish him from

the crowd; rough is his path if he fails to conform to the mould of his particular campus. That first anxious striving of the freshmen to become "college" is unforgettable. By the way we dress, by the way we walk, by the way we act you can tell how close to our ideal of college perfection we have come. College is a place of fads and fancies and you and I are the mannikins. "Think for yourself" has become an empty phrase. Why should you and I think for ourselves when the upperclassmen have done all our thinking for us! Well might we recall the words of Lowell when he says,

> And I honor the man who is willing to sink
> Half his present repute for the freedom to think;
> And when he has thought, be his cause strong or weak,
> Will risk t'other half for the freedom to speak.

Imagine a freshman in a college fraternity saying this to a senior!

And finally, college life is artificial. Note the sign posts along College Road: "handing a line," "the razz," "dating," "fussing," "stepping high," and "high-hatting." It is "away with dull grind" and "on with the dance!" We may hate "cokes," detest "getting by," abominate "developing a line"; but we soon enough acquire the taste. We tune our likes and dislikes to the campus radio. We affect the dispassionate air of the campus litterati, secretly wondering what it is all about. All the foibles of our college life can be pictured by saying, we have a country-club attitude of mind. Our idea of success five years after graduation is, not hard work, not service, not sincerity, not simplicity, but a ten-thousand dollar sinecure, a big car, membership in a golf club, and the name of being a big man in the community. Our college campuses are becoming preparatory schools for the golf course and the club porch.

So now the picture is drawn. There it is; college is chaotic, exhausting, conforming, artificial. Well then, what is to be done about it? No one can say that as college students we are plunging on an avalanche of destruction, nor can he say that we are undone as future members of society. But it *can* be said that external excitement has crowded out internal development; that superficiality has seeped into our very thought and act. It can be said that we would throw this superficiality, this glamour of college, around us

as a crimson cloak to be worn during college days when youth flames to its height, to be flung from us upon graduating along with our regrets for the college days that have gone. But the college cloak can never be so easily doffed; for as we think and live each day, so we grow and develop; so we inevitably become.

If tonight we could frame an answer to the challenge, perhaps it would be something like this. We would not say, Do away with all college activities. We would not say, Abolish all college social life. We would not be weighed by the scales of middle age. We like the song, we like the laughter, we like the gaiety, we like the excitement of college life. We would not say, Take away our college youth. Rather we would say, Let us check the swing of the pendulum of college life which has gone from the extreme sincerity and restraint of the old New England college to the feverish superficiality of present-day campus activities. Let us just tone down. Let us use this animation, this life, this vitality we possess, for enough serious things in college life to balance the lighter.

Perhaps we could pause there in our answer; for this problem is so like that of all present-day social life. We have granted the false atmosphere of university life, which hides the deeper things that must exist or college life could not go on. Can we not just admit that there are many factors in present economic and social conditions that have changed our living, about which Judge Lindsay has said, "Those external restraints once so potent in guiding youth are gone never to return, and the question now is how soon and how effectively will internal restraints take their place." Here is a ray of light. You and I tonight cannot solve this problem; we cannot change legislation of any university; we cannot change economic conditions of present-day life; we cannot wage a hopeful war against false and cheap social standards; we cannot if we would stem the torrent of students coming to college. But we *can* promise ourselves that we at least will strive for these internal restraints and for a life of genuineness and sincerity. We can declare ourselves masters of our own college destinies.

For three centuries colleges in America have been a powerful force in our national life because they have succeeded in teaching a few students the belief that they are eligible to leadership. They

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have consciously urged that students soberly consider themselves a saving remnant, the leaven of society and of the state. My message tonight is that such groups as this shall consider themselves as of this saving remnant, as among those few chosen to lead, who admitting the truth of this challenge, will conclude to separate themselves from the chaos, the strain, the conformity, and the artificiality of college life, and to cultivate internal powers of thinking for themselves; and then to be wholly unafraid of the old-fashioned ideals of simplicity, sincerity, and service to mankind.

## V. THE ELEVENTH COMMANDMENT

### MAURICE G. ROBINSON

*Speaker:* A junior in Wabash College, 1925–1926; all-Western basketball forward, 1924–1925.

*Occasion:* The fifty-second annual Final (National) Contest of the Interstate Oratorical Association, Northwestern University, April 29, 1926. After winning the Indiana State Oratorical Contest (at Manchester College) and qualifying at the Central Divisional Contest of the Interstate Oratorical Association (at Lawrence College, Appleton, Wisconsin) this speech was awarded first place in the Final Contest.

*Audience:* Faculty, alumni, students, and friends of the various competing colleges and universities; judges.

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Two days before the contest Chicago was aroused by the machine-gun murder of William H. McSwiggin, Assistant State's Attorney. The speaker seized upon this event as a factor of attention in beginning this speech upon crime.

A college oration is necessarily limited in length. Therefore, the fewer words into which a speaker can pack an idea, the more comprehensive can be the speech. In this speech the speaker has resorted to prolific use of the effective phrase, the epigram, *nuance* words, figures of speech, and above all perhaps, allusions, in order to say as much as possible in the fewest words. By these means the speech was cut to forty per cent. of its original length. The oberving student will recognize a close relation between this type of style and that of our greatest master of the crackling epigram—Wendell Phillips.

LADIES AND GENTLEMEN:

The murder of your prosecuting attorney, last Wednesday, has made my subject an unusually timely one for this audience, for beginning with the first recorded human crime—the murder of Abel by Cain—and coming down to this murder in your city day before yesterday, the perplexing question of crime has baffled society. It is significant that a part of the first code of laws ever devised, that divine code handed down from Mt. Sinai, dealt with crime, among members of society. Two commandments of that code were: "Thou shalt not steal," and "Thou shalt not kill." These two commandments are as indispensable to the race today as they were in the time of Moses. The course of time has taught us that they are not theoretical dreams toward which we may strive, but imperative foundations upon which we must stand. We know today, that if society breaks these commandments, the reaction will break society.

Yet, there comes to us from the mingled voices of every authority in the land, the indictment that, within the last decade, America has become the most lawless nation on earth. The American Bankers Association states that losses from bank robberies have increased 400% in the last seven years. William J. Burns, the great detective, states that there is stolen in America each year more than twice the amount spent on public schools. That is, since I began speaking a minute ago, there has been stolen from the people of this country $10,000. The American Bar Association's report states that *there are four times as many people murdered in this country each year as were killed in the battle of Gettysburg*, and that in the last half century there have been more people murdered than have been killed in all of the foreign wars of this nation. Furthermore, the rate is increasing by 1,000 murders a year.

These facts become more alarming by comparison. Last year there were three times as many murders and twelve times as many robberies in Chicago as in all of England and Wales. Yet, Chicago has only 3,000,000 people, and England and Wales 33,000,000. Last year there were 27 murders in London, 32 in Paris, and 59 in Berlin, while New York had more than three times as many as

all of these cities combined, 333. Coming closer to home in our comparison, we find that last year there were six times as many robberies in New York and Chicago as in all of Canada, and that the lone city of Los Angeles has as many murders annually as all of that great Dominion, while the cities of Cleveland, Detroit, St. Louis, Memphis, and Philadelphia each surpasses Canada, and some of them have twice as many.

It might be imagined that in a country such as Italy where the Black Hand and the Vendetta strike in the dark, crimes of violence would far exceed those in the United States. But not so, for the homicide rate of Italy is exactly one-half that of the United States. Even the Black Hand bows to the supremacy of the American gunman.

To pile up figures is unnecessary. Let us finish the survey at one stroke. The homicide rate of the United States is eight times that of Spain, Norway and turbulent Ireland, 18 times that of Scotland, and 36 times that of Switzerland. Is the indictment true that America is the most lawless nation on earth? Any jury in the land, without leaving the box, must return a verdict of guilty.

But, this problem comes closer home to us college students when we realize that it is not the old habitual criminal, but the youth, who is responsible for this great increase in crime. A judge of long experience in Chicago states that 75% of the offenders arraigned before him are under 25 years of age. An ex-warden of Sing Sing prison tells us that even after a leniency has been shown for youth, more than one-half of the prisoners in that institution are 24 or under. At one time in an eastern death house 5 out of 7 prisoners awaiting execution were under 21. Police records in Indianapolis show that 85% of the crime is committed by youths under 21. The old criminal is being outdone. He is merely a mule driver in a motorized age, where youth, unrestrained, sits at the steering wheel. *For every Gerald Chapman of the old order, you will find a quartette of young Loebs, Leopolds, Grants and Durkins.* Our country has become a rendezvous for a galaxy of bobbed-hair bandits, boy thugs, and indifferent striplings backed by automatics.

But what is the cause for this sudden criminal outburst of youth? One prominent social writer has compiled an array of 31 different reasons, and other writers have added a dozen more. Some would blame it on the war; but they fail to explain why crime in England, Canada, France and Italy, which were also affected by the war, has decreased. Some would blame it on evolution, the movies, jazz music, adenoids or tight hat bands. But obviously these reasons are not basic. Some would blame our criminal courts. These in a measure are right, but our law enforcement is but a sub-division of a greater social issue, for whether a man who commits a crime can evade the law, may depend upon the laxity of law enforcement, but whether he commits a crime at all depends upon his character. It is with our national character that I am concerned. There is somewhere in our national life between childhood and manhood a leakage of character—and where that leakage appears is where crime begins. Most of the authorities on the question, men like Arthur Stringer and Richard Washburn Child, place the basic cause for this leakage of character as the decay of the American home, and as one probes deeper into the question, it becomes evident that these men are right; for if the American home has not actually broken down under the strain of modern life, it is at least sagging in certain spots. Especially is this true in our congested cities, for moral virtues die in apartment houses. "It takes room to raise either children or morals." Even in our rural communities parental discipline is becoming a lost art, and children, like Topsy in Uncle Tom's Cabin, "just grow."

What has really happened to the American home? Let us see if we can locate our population this evening. Records show us that in the city of Chicago, there are 50 more theatres than there are public schools, and in New York 100 more, and the rest of the country is keeping pace, until tonight you will find nearly one-third of our population in a theatre. Add to this one-third, the number of people who are joy-riding in automobiles, amusing themselves in dance halls, cabarets, and billiard parlors, and you will have some idea of where the majority of our population is this evening. The old-fashioned sitting room and fireside of a half

century ago has given way to the theatre and cabaret of today. *What used to be a home is now merely a sleeping quarter, and a filling station.*

This changing status of the home has affected our whole social life. Children who formerly received moral instructions in the home are now dumped on the schools. Forgetting that the one vital influence over youth is the influence of mothers and fathers, we have evolved a vague platitude that school is the place where character is formed. We didn't reckon with the fact that even our adult world had been swept off its feet by a flood of modern science and invention, and we weren't aware that we had a slow moving education in a fast moving world. *We merely set our youth behind the steering wheel of a high-powered motor car, placed his hand upon the throttle and started him down the race track of life, and our educational instructors gave to this youth with a steering wheel in his hand practically the same instructions that were given to the youth who drove the stage coach and held a whip in his hand.* Then when the actions of our youth became a bit audacious, and we realized that we could not deputize a paternal school to care for the moral fiber of the American family, our club-attending and card-playing parents eased their minds by assuring themselves that youth should be allowed to develop in his own free way.

Youth, allowed to develop in his own free way, has acquired an appetite which he satisfies with jazz music and sensuous moving pictures; and when the pace begins to tell and over-taxed nerves become jaded, the hip-pocket flask affords a stimulant. "It is 'away with the dull grind,' and 'on with the dance,' " and when money runs low or excitement runs high, the automobile offers a tempting and easy roadway toward the committing of crime. As one detective said as he closed the jail door on a brass-faced youth of 16, who had just committed murder, "They have been drunk on thrills and excitement. Drunker and drunker, and now what that boy faces tonight doesn't even give him a kick."

There are those who would blame our youth alone, but obviously youth is only a negligent contributor, caught in the treadmill of a fast moving civilization. This decay in the American

home seems to have dulled the edge of our national sense of right and wrong among the old as well as the young.

We condone our criminals, and make heroes out of them. We send cakes and flowers to Loeb, Leopold and Durkin. We offer Harry Snodgrass a contract, at a fabulous sum, to appear in concert before overflowing crowds. We applaud our newspapers who paint Gerald Chapman as a modern Sir Galahad. We clamor for D. C. Stephenson's latest book. We encourage our judges, who free scores of guilty criminals on the merest of technicalities, by re-electing these judges to office. This has gone on and on until now one-third of those who commit murder are never arrested, and 90% who are arrested are never convicted, and for those who are convicted we sentimentally appeal for a pardon or parole. Is it not significant that the average life sentence in Ohio lasts but seven and one-half years? Do you see any relation between the low crime rate in England and the high crime rate in America, when taken together with the fact that in England one murderer out of four is promptly hanged, while America hangs but one out of a hundred? *Do you blame our youth for turning to a criminal career when in those formative years before character is made or habits fixed, they see handed down to them, from a modern Mt. Sinai of sentimentality, a new and Eleventh Commandment which says, "Thou shalt get by with it"?*

"A river in a flood may be interesting to watch; but when its turbid waters creep up to your own door step, you're apt to become alarmed and ask what can be done to stop it." There is no bottled and labeled remedy of which we may take so many teaspoonfuls a day and so cure ourselves of this national evil. All evils of so great a magnitude as this are so deeply embedded in our national life, that no single remedy could be expected to effect an immediate cure. But in a general way what we must have first of all is a moral re-awakening of the American people to the menace of this great crime flood. Then we need to rehabilitate the home, as the bulwark of our moral fiber, to make it compete in attractiveness with these outside influences which today are dragging it down. Then we need to cause the American people to understand that when home life declines and parental discipline stops,

crime begins. If we can cause the American people to have this understanding then there is no need to fear the future; for they have always shown a rare ability, when brought face to face with conditions, to meet the complex problems of life.

My friends, you all remember the insolent boast of Louis XIV: "The State? That's me." That boast is realized in the American citizen of today, for *you are the state, and I am the state,* and this is a personal problem lying at your door and mine. And it will be solved only when you and I supplant in the home, the false commandment of "Thou shalt get by with it," by the inviolate commandments of "Thou shalt not steal," and "Thou shalt not kill."

## VI. WHICH KNEW NOT JOSEPH

### BRUCE BARTON

*Speaker:* President of Barton, Durstine, and Osborn Advertising Co.; author, editor, lecturer.

*Occasion:* Meeting of the Public Relations Section of the National Electric Light Association, New York, 1923.

*Audience:* Members of the Association whose chief object was to foster public good will.

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Here is the president of an advertising association who, by the terms of his invitation to speak, must tell his hearers how important advertising is to their success. Study of the speech becomes an analysis of the unique devices which the speaker uses to drive home a proposition which, of necessity, is somewhat timeworn.

There are two stories—and neither of them is new—which I desire to tell you, because they have a direct application to everyone's business. The first concerns a member of my profession, an advertising man, who was in the employ of a circus. It was his function to precede the circus into various communities, distribute tickets to the editor, put up on the barns pictures of the bearded lady and the man-eating snakes, and finally to get in touch with the proprietor of some store and persuade him to purchase the space

on either side of the elephant for his advertisement in the parade.

Coming one day to a crossroads town, our friend found that there was only one store. The proprietor did not receive him enthusiastically. "Why should I advertise?" he demanded. "I have been here for twenty years. There isn't a man, woman or child around these parts that doesn't know where I am and what I sell." The advertising man answered very promptly (because in our business if we hesitate we are lost), and he said to the proprietor, pointing across the street, "What is that building over there?" The proprietor answered, "That is the Methodist Episcopal Church." The advertising man said, "How long has that been there?" The proprietor said, "Oh, I don't know; seventy-five years probably." "And yet," exclaimed the advertising man, "they ring the church bell every Sunday morning."

My second story has also a religious flavor. It relates to a gentleman named Joseph, who is now deceased.

Those of you who were brought up on the Bible may have found there some account of his very remarkable business career. Those of you who have not read that book may have heard of Joseph through the works of Rudyard Kipling.

Said Mr. Kipling:

> Who shall doubt the secret hid
> Under Cheops' pyramid
> Was that the contractor did
> Cheops out of several millions.
> And that Joseph's sudden rise
> To comptroller of supplies
> Was a graft of monstrous size
> Worked on Pharaoh's swart civilians.

The account of Joseph in the Old Testament is much more complete and to his credit. It tells how he left his country under difficulties and, coming into a strange country, he arose, through his diligence, to become the principal person in the state, second only to the King. Now, gentlemen, the Biblical narrative brings us to that point—the point where Joseph had public relations with all the other ancient nations, while his private relations held all the best-paying jobs—it brings us up to the climax of his career and

then it hands us an awful jolt. Without any words of preparation or explanation, it says bluntly:

"And Joseph died, and there arose a new king in Egypt which knew not Joseph."

I submit, gentlemen, that this is one of the most staggering lines which has ever been written in a business biography. Here was a man so famous that everybody knew him and presto, a few people die, a few new ones are born, and *nobody* knows him. The tide of human life has moved on; the king who exalted the friends of Joseph is followed by a king who makes them slaves; all the advertising that the name "Joseph" had enjoyed in one generation is futile and of no avail, because that generation has gone.

Now, what has all that to do with you? Very much indeed. When we gathered in this room this afternoon, there were in this country, in bed, sick, several thousand old men. It perhaps is indelicate for me to refer to that fact, but it is a fact, and we are grown up and we have to face these things. On those old men you gentlemen collectively have spent a considerable amount of time and a considerable amount of money. It is to be supposed that you have made some impression upon them regarding your service and your purposes and your necessities. But in this interval, while we have been sitting here, those old men have died and all your time and all your money and whatever you have built up in the way of good will in their minds—*all* your labor and investment have passed out with them.

In the same brief interval, there have been born in this country several thousand lusty boys and girls to whom you gentlemen, mean no more than the Einstein theory. They do not know the difference between a Mazda Lamp and a stick of Wrigley's chewing gum. Nobody has ever told them that Ivory Soap floats or that children cry for Castoria, or what sort of soap you ought to use if you want to have a skin that people would like to touch. The whole job of giving them the information they are going to need in order to form an intelligent public opinion and to exercise an intelligent influence in the community has to be started from the beginning and done over again.

So the first very simple thing that I would say to you (and it

is so simple that it seems to me it ought to be said at every convention of this kind) is that this business of public relations is a very constant business, that the fact that you told your story yesterday should not lead you into the delusion of supposing that you have ever told it. There is probably no fact in the United States that is easier to impress upon people's minds than that Ivory Soap floats, and yet the manufacturers of Ivory Soap think it is not inconsistent or wasteful to spend more than a million dollars a year in repeating that truth over and over again.

Cultivating good will is a day-by-day and hour-by-hour business, gentlemen. Every day and every hour the "king" dies and there arises a new "king" to whom you and all your works mean absolutely nothing.

Now, the second very simple thing which I might say to you is that in your dealings with the public, in what you write and say, you must be genuine.

When I came to New York a great many years ago I had a lot of trouble with banks. It was very hard to find any bank that would be willing to accept the very paltry weekly deposit that I wanted to make. Finally I discovered one which was not as closely guarded as the others, and I succeeded for a period of three years in being insulted by the teller every Saturday. At the end of three years when I came to draw out my money I had an audience with the vice-president who wanted personally to insult me. I said to myself, if I live and grow old in this town, some day I think I would like to take a crack at this situation.

And so as the years passed (as they have the habit of doing), and I lived and grew old, one day a bank official came in to us and said he would like to have us do some advertising for him. I said to this banker, "Now you go back to your office and shave off all the side-whiskers that there are in your bank and you take all the high hats and carry them out into the back yard of the bank and put them in a pile and light a match to the pile and burn them up, because I am going to advertise to people that you're human, and it may be a shock to have them come in and find you as you are."

So he went back to his bank and I wrote an advertisement which said:

There is a young man in this town who is looking for a friendly bank; a bank where the officers will remember his name and where some interest will be shown when he comes in, etc.

It was very successful. It was too successful. It was so successful that we could not control it, and all over the country there broke out a perfect epidemic, a kind of measles, of "friendly banks." Bankers who had not smiled since infancy and who never had had or needed an electric fan in their offices suddenly sat up and said, "Why, we are friendly."

Well, our bank dropped out. The competition was too keen. But it culminated, I think, in a letter which I saw and which was mailed by the president of a really very important bank in a large city. I won't attempt to quote it verbatim, but it was to this effect:

Dear Customer: As I sit here all alone in my office on Christmas Eve thinking of you and how much we love you, I really wish that you and every other customer could come in here personally so I could give you a good sound kiss.

Well, that is a trifle exaggerated, but the fact is this—if you don't feel these things you can't make other people feel them. Emerson said, as you will remember, "What you are thunders so loud I cannot hear what you say." Unless there is back of this desire for better public relations as a real conviction, a real genuine feeling that you are in business as a matter of service, not merely as a matter of advertising service—unless there is that, then it is very dangerous, indeed, to attempt to talk to the public. For as sure as you live the public will find you out.

The third very simple thing, and the last thing that I suggest, is this: in dealing with the public the great thing is to deal with them simply, briefly, and in language that they can understand.

Two men delivered speeches about sixty years ago at Gettysburg. One man was the greatest orator of his day, and he spoke for two hours and a half, and probably nobody in the room can remember

a single word that he said. The other man spoke for considerably less than five minutes, and every school child has at some time learned Lincoln's Gettysburg Address, and remembers it more or less all his life. Many prayers have been uttered in the world—many long, fine-sounding prayers—but the only prayer that any large majority of people have ever learned is the Lord's Prayer, and it is less than two hundred words long. The same thing is true of the Twenty-third Psalm, and there is hardly a Latin word in it. They are short, simple, easily understood words.

You electric light people have one difficulty. I was in Europe this spring, and I rode a great deal in taxicabs. In England I sat in a taxicab and watched the little clock go around in terms of shillings. Then I flew over to Amsterdam and watched it go around in terms of guilders. Then I went down to Brussels and it went around in terms of francs. Then I went to France and it went around in terms of francs of a different value.

I would sit there trying to divide fifteen into one hundred and multiply it by seven, and wonder just where I was getting off, and I have no doubt now that really I was transported in Europe at a very reasonable cost, but because those meters talked to me in terms that were unfamiliar I never stepped out of a taxicab without having a haunting suspicion that probably I had been "gyped."

In a degree you suffer like those taxicab men. You come to Mrs. Barton and you say, "Buy this washing machine and it will do your washing for just a few cents an hour." She says, "Isn't that wonderful!" She buys it, and at the end of the month she sits with your bill in her hands and she says, "We have run this five hours, and that will probably be so and so." Then she opens the bill and finds that she has not run it five hours; that she has run it 41 kw. and 11 amp. and 32 volts, and that the amount is not so-and-so but it is $2.67.

Well, that is a matter that I suppose you will eventually straighten out.

Asking an advertising man to talk about advertising at a convention like this is a good deal like asking a doctor to talk about health. I have listened to many such addresses and they are all

about the same. The eminent physician says, "Drink plenty of water. Stay outdoors as much as you can. Eat good food. Don't worry. Get eight hours' sleep. And if you have anything the matter with you, call a doctor."

So I say to you that there is a certain technique about this matter of dealing with the public, and if you have anything seriously the matter with you—whether it be a big advertising problem or merely a bad letterhead (and some of you have wretched letterheads)—there probably is some advertising doctor in your town who has made a business of the thing, and it may be worth your while to call him in. But in the meantime, and in this very informal and necessarily general talk, I say to you, "Be genuine, be simple, be brief; talk to people in language that they understand; and finally, and most of all, be persistent." You can't expect to advertise in flush times and live on the memory of it when you are hard up. You can't expect to advertise when you are in trouble, or about to be in trouble, and expect to get anything in that direction. It is a day-by-day and hour-by-hour business. If the money that has been thrown away by people who advertised spasmodically was all gathered together it would found and endow the most wonderful home in the world for aged advertising men and their widows. Don't throw any more of that money away. If advertising is worth doing at all, it is worth doing all the time. For every day, gentlemen, the "king" dies, and there arises a new "king" who knows not Joseph.

## VII. "WATCHMAN, TELL US OF THE NIGHT"

### OLIVE JONES

*Speaker:* President of the National Education Association of the United States, 1923–1924.

*Occasion:* The 54th annual meeting of the Department of Superintendence, National Education Association, Chicago, Illinois, February 25, 1924.

*Audience:* Members of the Department; readers included educators at large over the country.

Running as a thread through this speech, from the title to the last word, is one compelling comparison. Observe how it enhances the unified purpose of the speech.

(From the *National Education Association Journal,* April, 1924.)

This Department of Superintendence is most fortunate in its Secretary. He is not only efficient but he can always be relied upon for an inspiration and a suggestion when one's own thinking powers have apparently ceased to function. That's why my address to you this morning has the subject, "Watchman, Tell Us of the Night!" He asked me one day, down in that busy workroom of his in Washington, what I was going to talk about here. I told him I couldn't find a title, and then outlined something of what I hope to say to you today. He laughed a bit and said, "A sort of 'Watchman, Tell Us of the Night'?" I seized upon it, for it provided me, not only with a title, but with the comparison, the figure of speech, I had searched for.

Dr. Smith said he thought it ought to be "Watchman, Tell Us of the *Day,*" but I stick to my choice. For I do not believe the day has yet come for us in the teaching profession. The night has not yet ended although there are promises of dawn, and I have an unconquerable faith that the full light of day will come. Just as my faith in God and my belief in a life beyond the grave are absolutely unshaken, no matter how incapable my reason and logic may be to explain that faith, just as unshaken is my belief that in the end, our ideals of democracy, and of education as the cornerstone of that democracy will prevail and the work of the teacher come into full recognition of its importance and its dignity.

My simile is good, then, for another reason. It is not yet day, and it is in the night that dangers creep upon us unobserved, especially those later hours of the night when sleep is the heaviest and the watchful care relaxes because it seems as if all were well. Those are the hours of our educational progress in which I think we stand today. We teachers have been struggling upward for centuries and the struggle of the past twenty years has probably been the most significant of all the years. But that struggle has wearied many of us, and we are in danger of sleeping too hard just before the day breaks.

Creeping in upon us while we sleep are enemies we thought vanquished. We have won fights for increased salaries for teachers all over the country, not in one Nation-wide campaign, but State by State rolling up its own victory. But are those victories permanent? Dare we relax our viligance? Did those victories carry us across the whole field of battle, or did we stop half-way and leave the enemy entrenched on the other side, resting and preparing to drive us back from the little we have won? More serious still, have some of us rested satisfied in our own tents of safety while others are struggling upward, unaided, in a fight worse than any we ever knew and with little hope of victory?

I tell you, friends, that my travels from State to State this year make me want to sound the warning tocsin, especially to you superintendents whose bounden duty it is to stand guard over your teachers for the sake of the children those teachers are making into some kind of citizens for tomorrow. I know of States where these hard-fought salary increases depend upon an annual appropriation to make up the difference between the old and the new salary. What security have these teachers? I know of a place where that appropriation was not made for two years and the difference was paid out of the State reserves. How long can that continue? I know of a place where a percentage cut has already been made. I know of places where attempts are being made to accompany the annual appropriation with conditions which, if permitted, will break down the morale of the teaching force worse than salary decreases. I have watched the struggle for *decent* salaries for teachers in the Capital of our country until I wanted to cry "Shame!" to every teacher who votes for a Congressman that is hampering or opposing or neglecting that righteous appeal.

Nor can we feel that the battle is fully won, for better and more school buildings and equipment. Are we over-confident here?

I am not a financier and I am neither a political nor a social economist. So I may be all wrong in my fears concerning the present general move towards tax-reduction. But as a mother tries to hold her children back from danger, so I feel a menace to my beloved work of teaching and I implore that you superintendents, with your greater experience and wider opportunities for

knowledge, will make the necessary investigation and have the courage to warn us all if the danger is as imminent as it seems to me.

Today I cannot see the widespread movement which is using the deceptive and deluding campaign cry of tax reduction as anything but the enemy creeping upon us in those hours of the night while we sleep the heaviest. Why? It would take too long to answer fully and I am a teacher, not a tax expert, so I can only answer with a concrete story out of my own experience. A special pleader for widespread tax reduction came to a meeting I attended. He was a high official in one of the largest corporations in the world. He was armed with documents, circulars, and petitions we were urged to sign and forward at once to our respective Congressmen. Now, I have done a little legislative campaigning myself in my day, and I wondered why the haste and why the expenditure of money for all that printing. So I asked some questions, to get in reply the statement that if taxes were reduced, money would be invested in industry instead of in municipal bonds which are tax-exempt. He did not like it when I asked if that would make any vital difference to the sale of municipal bonds for school improvements and school buildings. Pushed for a reply by other women who then saw the relationship of the question to pet projects of their own for civic improvement, he became irritated and answered that those were questions for each community to settle for itself as each question arose. How will communities find the funds if the value of their bonds is depreciated and the sale lessened?

Is our battle for education won, superintendents of America? Is this a danger creeping on us in the night? I do not claim to understand taxation principles and I cannot answer the intricate financial arguments which are advanced when advocates of tax-reduction plans talk of surtaxes, the blight of industry, the deprivation of just profits (if they *be just*), and all the terms and pleas by means of which newspapers and orators are railroading an unthinking public into approval of plans which may mean increased benefit for the few and untold loss for the mass.

Neither am I especially interested in the political success or failure which may come to any political party from its advocacy

of tax reduction. And I am cynic enough to believe, and indiscreet enough to say, that in the question there is probably little of political principle involved, except an attempt to see which party can "beat the other to it" in advancing a good campaign issue which will catch votes.

I have my political beliefs but I am first, last, and all the time a teacher. And so I view with alarm any plan which does not specifically exclude school costs from its scheme of reduction. Nay more, which does not specifically provide for an *extension* of school costs until every child in this country is given an equal opportunity for the type of education which will best fit him personally and individually to be a wise voter and a good citizen in an ideal democracy.

On the same platform with myself, recently, a man voiced his approval of widespread tax-reduction plans and in the same speech argued long against restriction of immigration. Only incidentally, did he refer to either as the needs of industry, but he laid great stress on "the home of the free," and "refuge of the oppressed." Why the camouflage? Are these foreigners to remain un-American and their children to swell our percentage of illiterate adults? If not, how will the cost of their education be met? If not met, who will pay the costs of the future, heavier in blood and loss than any warfare ever known?

Friends, these are dangers of the night, making a more essential demand upon your wisdom, your foresight, and yes, your courage, than all the rest of your problems of school administration put together. May we who are in the ranks below urge them upon your courageous consideration and look to you for guidance? Remember that teachers are no longer a disfranchised class as in the days before women voted. And politicians can be brought to realize that fact if the need arise and you make the call upon them.

The traveler in the old hymn was told that darkness will take its flight, doubt and terror be withdrawn, as the watchman answered his appeal, "tell us of the night." And I hope in a few minutes to tell you of what seems to me to be our "glory-beaming star." But please forgive me if first I ask you to look again across that half-won battle field, and study, not only the tactics by means of

which the enemies of equal opportunity for education for all ranks and types of children are preparing to rush us back across the distance we have gained, but the instruments and leaders they are choosing.

How about the man who holds a high position in education and was once an honored name in our National Education Association? Have you watched his progress? Have you discovered when and how he ran across in the night and now stands in the enemy's camp? By what right does a speech of his receive the privilege of being franked across the country? For its cruel and untrue attack upon our educational aims and progress have gone to every corner, not once but many times, to judge by my experience, for I have received five copies franked through the mails at different times, thus converting it into persistent propaganda against our public-school systems.

I followed him once on a public platform this winter. He made a vicious and unprovoked attack upon our Education Bill, full of mis-statements so insidiously and cleverly phrased that it would have taken hours of time and pages of matter to answer him fully. It did no harm in that teacher audience, for within twenty-four hours they passed unanimously an endorsement of the Bill. But his speech was broadcasted far and wide through the Associated Press, reaching that far wider and less informed audience he really sought. All this year I have been waiting for a leader to step out from your ranks and expose him to his merited defeat.

And have you given due heed to the propaganda being conducted against our ideals of teaching and of teachers through the pages of fiction? Possibly I ought to include this among the signs of dawn, because in the past fiction writers have given us the silence and neglect which mean that our work of teaching is unworthy of their pens and provides material for neither romance nor discussion. (Some of them might learn the romance if they ran a school of men and women teachers for eighteen years!) So it is a sign of promise when the fiction writers decide to use us as material. But how does it happen that they are propagandists against us? I have read three novels in the past month. The last puts the teacher into a lower class in society and makes her a social climber

to get out of it. One of the other two is straight propaganda for an alliance of teachers with other ranks of workers instead of the maintenance of their own professional organization. The third is by a man who once exposed a wrong by means of a sensational novel and has ever since been seeking other wrongs to expose. This last book bears in almost every page the evidence of half-digested misinformation supplied to him by an enemy. None of these three books can do much harm, because they are stupid, dull reading, and the average person will never go far in their pages. But again I ask why are they propagandists against us?

There are others of these creeping dangers which threaten us in the night, but awake to one will mean awake to all, I hope. And I want to use my remaining minutes to tell you what the "signs of promise are."

The greatest sign of promise of which I can think just now is the response teachers are making all over this country to the opportunity to work together for professional advancement in one great National organization. It talks in terms of membership. In 1919 our roll was 22,000. In 1924 it is 140,000. We have not yet traveled the whole distance but we have made a bigger, braver start than any other profession ever accomplished in the same period of time. And we have done it against greater odds. Medicine and law had a starting point from their professional schools. Only to a small degree did our professional schools give us that starting point.

That brings us to a second great sign of promise—the rapidly increasing proportion of professionally trained teachers. The facts that indicate progress in raising the general level of teacher training, all of which might be amply substantiated by statistics, include (1) the rapid extension of normal-school courses to cover four years; (2) the change from the term "normal school" to "teachers' college"; (3) the large attendance of teachers at summer schools; and (4) the revision of State certification laws.

Side by side with this is the growing demand in communities that only professional teachers shall be employed and that advancement shall depend upon continued professional study. One of the surest means of judging that this advance is being made is the

strenuous efforts of politicians and others to regain their lost field of patronage. In one State they manifest their longing for patronage to distribute by impeaching the honor of the certifying authorities in the schools. In another State they stir up county superintendents to rebel against the system of certification of teachers, without providing any adequate method of assuring that only trained teachers will be employed. In another State, an attempt is made to remove from the superintendent and his professional associates the right to determine the qualifications of teachers and place it in a lay body. But none of these attempts can succeed, for the great teaching body is itself awake and through its local, State, and National associations will defeat such efforts and expose their true purpose, however much their authors may try to throw dust in our eyes. The great gain is that the *teachers want* the training and are protecting it themselves.

A third sign of promise is the failure of the attempt to divide us as a teaching body into factions according to rank. It is true that each rank should vote decisions on its own peculiar problems uninfluenced and unweighted by the votes of persons from another group. But this just right neither needs nor implies total separation. There must be mutual support and understanding and there are problems in which the united action of all groups is the only way to prevent disaster or secure advance. Very clearly is this understood by the enemies of public education, and the various movements to separate superintendent from teacher in our State and National organizations really proceeded from those who hoped to use the teaching body for their own ulterior aims or to destroy our strength by dividing and conquering. We have answered in our National Association by our method of joint business sessions on common problems and department meetings for individual discussions. Everywhere organizations which depend upon faction have proved their futility and teacher and superintendent have come to see that only by united work can either do his duty or make even selfish progress. Its stand for unity in the profession is one of the greatest factors in the extraordinary growth of the National Education Association.

A fourth sign of promise is still only very dim in many parts

of our country, but it is growing. It is the equal recognition of teachers in pay and position and opportunity for promotion without regard to sex, creed, or race. There are still places where one or the other of these elements is allowed either by law or by common practice as a sort of unwritten law to rule in salary or in opportunity, but the best and most hopeful conditions for education exist in those places where the questions of sex, race, and creed are discarded and only the questions of service and equipment decide salary or promotion. I know I may be speaking to men who disagree with me on this fourth sign of promise, because it is still very dim, but again the best indication of its advance is the incessant and insidious efforts to break it down where its results have shown best in the improvement of teaching.

The fifth sign of promise is the steady advance in popular favor of the Education Bill and the immovable loyalty to it evidenced in State after State by resolutions at State Association meetings including States as widely separated as Missouri, North Dakota, and my own State of New York.

Still a sixth sign of promise is the change in the subjects of discussion and study in the National Education Association as indicated by the lists of committees. Only a very few years ago every committee of the National Education Association was concerned with the content or methods of teaching of some academic subject. Today out of twenty-four committees at work in the National Education Association, three are at work on strictly academic subjects, each being inclusive of a group of studies—English, mathematics, social studies. Six are working on subjects which include academic subjects but are much broader in scope than any single academic subject—character, thrift, health, visual classification of educational material, and educational nomenclature. Five are concerned with professional problems—tenure, retirement allowance, training, classroom, rural. Six are appointed to work in coöperation with certain organizations having educational aims—American School Citizenship League, World Federation, Conference on Limitation of Armaments, Racial Well-being, Schoolhouse Planning, Motion Pictures. Two are concerned with great National problems affecting education—illiteracy and legislative. Two are appointed to coöper-

ate with two of our most important National Education Association divisions—The Editorial Council and the Research Advisory Committee.

This change in committee appointments indicates a degree of professional growth which is little realized and which cannot be too highly estimated. It means that we have become less bound by the four walls of a classroom in our thought of education. It means that we have begun to see the essential relationship of our work of teaching to the other activities of life. It means that we have come into our own in our esteem of our own work and with that must come the esteem of the world. He who respects himself commands respect from others.

My last sign of promise is the opportunity that will be ours in July to command that respect and recognition from all the peoples of the world by our conduct of our meeting in the Capital of our Country. I am hoping much from what the teachers will get for themselves out of a trip to Washington, in patriotic inspiration, in renewal of interest in our wonderful history, and out of the addresses and discussions of the convention itself.

There where our Congressional orators proclaim that the hope of a democracy is in education, there where gather all the forces, both good and evil, who hope to influence or control the destinies of our people, there where all the peoples of the world send their representatives and maintain their embassies, there we must gather as teachers in such numbers that no longer can officials talk about education and then think of teaching in terms of some individual dimly remembered. Instead, they must come to think of us as a huge army of workers engaged in the practical carrying out of an education to be the hope of democracy. They must come to realize visually that the teacher is a tremendous force to be reckoned with and that on their use of that force depends the welfare of the whole country. The opportunity is yours to bring this to pass next summer. The sign of promise will fail or blossom as you decide.

I hope you have not thought all this time that I think I am the watchman. Not one of us is or ever can be the watchman. We are all of us the travelers who are climbing up the mountain

heights. The watchman is the National Education Association. It is through our unity in that greatest of all professional organizations that we have journeyed so fast and so far in the past few years. We have established it as our watchman to warn us of the dangers of the night and to point out to us the glory-beaming star "whose beauteous ray will hope and joy foretell." Through our loyalty to the professional unity it personifies we can fulfil for teaching the other prophecy of that old hymn, when the traveler asks:

> Watchman, will its beams alone
> Gild the spot that gave them birth?

and the watchman replies:

> Traveler, ages are its own,
> See! it bursts o'er all the earth.

## VIII. LIVERPOOL ADDRESS

### HENRY WARD BEECHER

*Speaker:* (1813–1887) American clergyman—perhaps the most powerful speaker and versatile man who ever filled an American pulpit; also an author of religious works, general essays, novels; anti-slavery agitator; and political leader.

*Occasion:* Because of his exhausting labors in behalf of the Union cause during the Civil War, members of Mr. Beecher's church (Plymouth Church, Brooklyn) pushed him off to Europe for a few months of rest during the spring of 1863. After spending the summer on the Continent, he went to England in the early autumn. He had no intention of speaking until Union sympathizers in England begged him to make an effort in their behalf, since sympathy for the Confederate States was bitterly strong among certain labor classes and running so high in Parliament that there was danger of England recognizing the Confederacy. Mr. Beecher consented and, in addition to several short addresses before religious and social organizations, he made five addresses to the labor classes—one each at Manchester, Glasgow, Edinburgh, Liverpool, and London. At each appearance enormous crowds flocked to hear him, more than the auditorium could hold. But at least five to six thousand persons were able to jam the halls for each address. Everywhere Mr. Beecher faced an appalling opposition from that

part of the audience which was opposed to his cause. This opposition reached its climax in the fourth address—at Liverpool. Indeed it was an address that has no parallel in American history in this respect. The speech was given at Philharmonic Hall, October 16, 1863.

*Audience:* English laboring people largely hostile to the Union cause because Lincoln's blockade of the Confederate States had deprived the English factories of raw cotton, thus closing them down and throwing thousands of laborers out of employment. In addition, they were especially hostile to Beecher because of certain uncomplimentary remarks allegedly made by him against England when the *Trent* affair occurred. So bitter was this audience that Mr. Beecher's life was threatened. He was warned not to appear. The streets were placarded in red signs denouncing him. Many in the audience were armed. But some of Mr. Beecher's friends on the platform were also armed and others of his friends went up into the boxes with knives and guns, announcing their intention of taking a hand if any violence was begun. It will be noted that near the end of the address Mr. Beecher spoke of having spoken for "an hour and a half . . . against a storm." He later learned that, because of the continuous uproar from the audience, it had taken, not an hour and a half but three hours, to give the speech.

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One important feature of the speaker's psychology ought to be called to attention. Beecher's personal opposition to slavery was upon moral and patriotic grounds. But he does not here put his chief emphasis upon those grounds. Having analyzed his audience, he has taken measure of the most effective lever available to bring them to his view. He shows them *Englishmen will personally profit by the downfall of slavery.* For further discussion of this speech see *The Spoken Word,* pp. 70ff. and 87.

(The verbatim unrevised copy, left so by Mr. Beecher "as a curiosity" and hence the more valuable for students of speaking. From *Patriotic Addresses by Henry Ward Beecher,* 1887. Pilgrim Press, Publishers.)

*(Advancing to the front of the platform, Mr. Beecher was greeted by parts of the audience rising to its feet, by a mingling of cheers, hisses, groans, and by waving of hats and handkerchiefs. Each attempt to speak was stopped by an uproar until the chairman threatened to call upon the police. Mr. Beecher then began):*

For more than twenty-five years I have been made perfectly familiar with popular assemblies in all parts of my country except the extreme South. There has not for the whole of that time been a single day of my life when it would have been safe for me to go south of Mason's and Dixon's line in my own country, and all for

one reason: my solemn, earnest, persistent testimony against that which I consider to be the most atrocious thing under the sun—the system of American slavery in a great free republic. [*Cheers.*] I have passed through that early period, when right of free speech was denied to me. Again and again I have attempted to address audiences that, for no other crime than that of free speech, visited me with all manner of contumelious epithets; and now since I have been in England, although I have met with greater kindness and courtesy on the part of most than I deserved, yet, on the other hand, I perceive that the Southern influence prevails to some extent in England. [*Applause and uproar.*] It is my old acquaintance; I understand it perfectly [*laughter*], and I have always held it to be an unfailing truth that where a man had a cause that would bear examination he was perfectly willing to have it spoken about. [*Applause.*] And when in Manchester I saw those huge placards, "Who is Henry Ward Beecher?" [*laughter, cries of "Quite right," and applause*]—and when in Liverpool I was told that there were those blood-red placards, purporting to say what Henry Ward Beecher had said, and calling upon Englishmen to suppress free speech—I tell you what I thought. I thought simply this—"I am glad of it." [*Laughter.*] Why? Because if they had felt perfectly secure, that *you* are the minions of the South and the slaves of slavery, they would have been perfectly still. [*Applause and uproar.*] And, therefore, when I saw so much nervous apprehension that, if I were permitted to speak [*hisses and applause*]—when I found they were afraid to have me speak [*hisses, laughter, and "No, no"*],—when I found that they considered my speaking damaging to their cause [*applause*]—when I found that they appealed from facts and reasonings to mob law [*applause and uproar*], I said: No man need tell me what the heart and secret counsel of these men are. They tremble, and are afraid. [*Applause, laughter, hisses, "No, no," and a voice: "New York mob."*] Now, personally, it is a matter of very little consequence to me whether I speak here to-night or not. [*Laughter and cheers.*] But, one thing is very certain—if you do permit me to speak here to-night you will hear very plain talking. [*Applause and hisses.*] You will not find a man [*interruption*],—you will not find me to be a man that dared to speak about Great

Britain three thousand miles off, and then is afraid to speak to Great Britain when he stands on her shores. [*Immense applause and hisses.*] And if I do not mistake the tone of the temper of Englishmen, they had rather have a man who opposes them in a manly way [*applause from all parts of the hall*] than a sneak that agrees with them in an unmanly way. [*Applause and "Bravo."*] If I can carry you with me by sound convictions, I shall be immensely glad [*applause*]; but if I cannot carry you with me by facts and sound arguments, I do not wish you to go with me at all; and all that I ask is simply *fair play.* [*Applause, and a voice: "You shall have it, too."*] Those of you who are kind enough to wish to favor my speaking—and you will observe that my voice is slightly husky, from having spoken almost every night in succession for some time past—those who wish to hear me will do me the kindness simply to sit still and to keep still; and I and my friends the Secessionists will make all the noise. [*Laughter.*]

There are two dominant races in modern history. The Germanic and the Romanic races. The Germanic races tend to personal liberty, to a sturdy individualism, to civil and to political liberty. The Romanic race tends to absolutism in government; it is clannish; it loves chieftains; it develops a people that crave strong and showy governments to support and plan for them. The Anglo-Saxon race belongs to the great German family, and is a fair exponent of its peculiarities. The Anglo-Saxon carries self-government and self-development with him wherever he goes. He has popular GOVERNMENT and popular INDUSTRY; for the effects of a generous civil liberty are not seen a whit more plain in the good order, in the intelligence, and in the virtue of a self-governing people, than in their amazing enterprise and the scope and power of their creative industry. The power to create riches is just as much a part of the Anglo-Saxon virtues as the power to create good order and social safety. The things required for prosperous labor, prosperous manufactures, and prosperous commerce are three. First, liberty; second, liberty; third, liberty. [*Hear, hear.*] Though these are not merely the same liberty as I shall show you.

First, there must be liberty to follow those laws of business which experience has developed, without imposts or restrictions, or govern-

mental intrusions. Business simply wants to be let alone. [*Hear, hear.*] Then, secondly, there must be liberty to distribute and exchange products of industry in any market without burdensome tariffs, without imposts, and without vexatious regulations. There must be these two liberties—liberty to create wealth, as the makers of it think best according to the light and experience which business has given them; and then liberty to distribute what they have created without unnecessary vexatious burdens. The comprehensive law of the ideal industrial condition of the world is free manufacture and free-trade. [*Hear, hear; a voice: "The Morrill tariff." Another voice: "Monroe."*] I have said there were three elements of liberty. The third is the necessity of an intelligent and free race of customers. There must be freedom among producers; there must be freedom among the distributers; there must be freedom among the customers. It may not have occurred to you that it makes any difference what one's customers are; but it does, in all regular and prolonged business. The condition of the customer determines how much he will buy, determines of what sort he will buy. Poor and ignorant people buy little and that of the poorest kind. The richest and the intelligent, having the more means to buy, buy the most, and always buy the best. Here then are the three liberties—liberty of the producer; liberty of the distributor; and liberty of the consumer. The first two need no discussion, they have been long thoroughly and brilliantly illustrated by the political economists of Great Britain, and by her eminent statesmen; but it seems to me that enough attention has not been directed to the third; and, with your patience, I will dwell on that for a moment, before proceeding to other topics.

It is a necessity of every manufacturing and commercial people that their customers should be very wealthy and intelligent. Let us put the subject before you in the familiar light of your own local experience. To whom do the tradesmen of Liverpool sell the most goods at the highest profit? To the ignorant and poor, or to the educated and prosperous? [*A voice: "To the Southerners." Laughter.*] The poor man buys simply for his body; he buys food, he buys clothing, he buys fuel, he buys lodging. His rule is to buy the least and the cheapest that he can. He goes to the store as seldom

as he can,—he brings away as little as he can,—and he buys for the least he can. [*Much laughter.*] Poverty is not a misfortune to the poor only who suffer it, but it is more or less a misfortune to all with whom they deal. On the other hand, a man well off,—how is it with him? He buys in far greater quantity. He can afford to do it; he has the money to pay for it. He buys in far greater variety, because he seeks to gratify not merely physical wants, but also mental wants. He buys for the satisfaction of sentiment and taste, as well as of sense. He buys silk, wool, flax, cotton; he buys all metals—iron, silver, gold, platinum; in short he buys for all necessities and of all substances. But that is not all. He buys a better quality of goods. He buys richer silks, finer cottons, higher grained wools. Now, a rich silk means so much skill and care of somebody's that has been expended upon it to make it finer and richer; and so of cotton, and so of wool. That is, the price of the finer goods runs back to the very beginning, and remunerates the workman as well as the merchant. Indeed, the whole laboring community is as much interested and profited as the mere merchant, in this buying and selling of the higher grades in the greater varieties and quantities. The law of price is the skill; and the amount of skill expended in the work is as much for the market as are the goods. A man comes to the market and says, "I have a pair of hands," and he obtains the lowest wages. Another man comes and says, "I have something more than a pair of hands; I have truth and fidelity"; he gets a higher price. Another man comes and says, "I have something more; I have hands and strength, and fidelity, and skill." He gets more than either of the others. The next man comes and says, "I have got hands and strength, and skill, and fidelity; but my hands work more than that. They know how to create things for the fancy, for the affections, for the moral sentiments"; and he gets more than either of the others. The last man comes and says, "I have all these qualities, and have them so highly that it is a peculiar genius"; and genius carries the whole market and gets the highest price. [*Loud applause.*] So that both the workman and the merchant are profited by having purchasers that demand quality, variety, and quantity. Now, if this be so in the town or the city, it can only be so because it is a law. This is the specific development of a general

or universal law, and therefore we should expect to find it as true of a nation as of a city like Liverpool. I know it is so, and you know that it is true of all the world; and it is just as important to have customers educated, intelligent, moral, and rich, out of Liverpool as it is in Liverpool. [*Applause.*] They are able to buy; they want variety, they want the very best; and those are the customers you want. That nation is the best customer that is freest, because freedom works prosperity, industry, and wealth. Great Britain then, aside from moral considerations, has a direct commercial and pecuniary interest in the liberty, civilization, and wealth of every people and every nation on the globe. [*Loud applause.*] You have also an interest in this, because you are a moral and a religious people. [*"Oh, oh," laughter, and applause.*] You desire it from the highest motives; and godliness is profitable in all things, having the promise of the life that is, as well as of that which is to come; but if there were no hereafter, and if man had no progress in this life, and if there were no question of moral growth at all, it would be worth your while to protect civilization and liberty, merely as a commercial speculation. To evangelize has more than a moral and religious import—it comes back to temporal relations. Wherever a nation that is crushed, cramped, degraded under despotism, is struggling to be free, you, Leeds, Sheffield, Manchester, Paisley, all have an interest that that nation should be free. When depressed and backward people demand that they may have a chance to rise—Hungary, Italy, Poland,—it is a duty for humanity's sake, it is a duty, for the highest moral motives, to sympathize with them; but beside all these there is a material and an interested reason why you should sympathize with them. Pounds and pence join with conscience and with honor in this design.

Now, Great Britain's chief want is—what? They have said that your chief want is cotton. I deny it. Your chief want is consumers. [*Applause and hisses.*] You have got skill, you have got capital, and you have got machinery enough to manufacture goods for the whole population of the globe. You could turn out fourfold as much as you do, if you only had the market to sell in. It is not therefore so much the want of fabric, though there may be a temporary obstruction of that; but the principal and increasing want—increas-

ing from year to year—is, where shall we find men to buy what we can manufacture so fast? [*Interruption, and a voice, "The Morrill tariff," and applause.*] Before the American war broke out, your warehouses were loaded with goods that you could not sell. [*Applause and hisses.*] You had over-manufactured; what is the meaning of over-manufacturing but this, that you had skill, capital, machinery, to create faster than you had customers to take the goods off your hands? And you know that, rich as Great Britain is, vast as are her manufactures, if she could have fourfold the present demand she could make fourfold riches to-morrow; and every political economist will tell you that your want is not cotton primarily, but customers. Therefore the doctrine How to make customers, is a great deal more important to Great Britain than the doctrine How to raise cotton. It is to that doctrine I ask from you, business men, practical men, men of fact, sagacious Englishmen—to that point I ask a moment's attention. [*Shouts of "Oh, oh," hisses, and applause.*]

There are no more continents to be discovered. [*Hear, hear.*] The market of the future must be found—how? There is very little hope of any more demand being created by new fields. If you are to have a better market there must be some kind of process invented to make the old fields better. [*A voice, "Tell us something new," shouts of "Order," and interruption.*] Let us look at it, then. You must civilize the world in order to make a better class of purchasers. [*Interruption.*] If you were to press Italy down again under the feet of despotism, Italy, discouraged, could draw but very few supplies from you. But give her liberty, kindle schools throughout her valleys, spur her industry, make treaties with her by which she can exchange her wine, and her oil, and her silk for your manufactured goods; and for every effort that you make in that direction there will come back profit to you by increased traffic with her. [*Loud applause.*] If Hungary asks to be an unshackled nation—if by freedom she will rise to virtue and intelligence, then by freedom she will acquire a more multifarious industry, which she will be willing to exchange for your manufactures. Her liberty is to be found—where? You will find it in the Word of God, you will find it in the code of history; but you will also find it in the Price Cur-

rent [*hear, hear*]; and every free nation, every civilized people—every people that rises from barbarism to industry and intelligence, becomes a better customer. A savage is a man of one story, and that one story a cellar. When man begins to be civilized, he raises another story. When you Christianize and civilize the man, you put story upon story, for you develop faculty after faculty; and you have to supply every story with your productions. The savage is a man one story deep; the civilized man is thirty stories deep. [*Applause.*] Now if you go to a lodging-house, where there are three or four men, your sales to them may, no doubt, be worth *something;* but if you go to a lodging-house like some of those which I saw in Edinburgh, which seemed to contain about twenty stories—[*"Oh, oh," and interruption*]—every story of which is full, and all who occupy buy of you—which is the best customer—the man who is drawn out, or the man who is pinched up? [*Laughter.*]

There is in this a great and sound principle of political economy. [*"Yah! yah!" from the passage outside the hall, and loud laughter.*] If the South should be rendered independent—[*at this juncture mingled cheering and hisses became immense; half the audience rose to their feet, waving hats and handkerchiefs, and in every part of the hall there was the greatest commotion and uproar. Mr. Beecher quietly and smilingly waited until quiet was restored, and then proceeded.*] Well, you have had your turn; now let me have mine again. [*Loud applause and laughter.*] It is a little inconvenient to talk against the wind; but, after all, if you will just keep good-natured —I am not going to lose my temper; will you watch yours? [*Applause.*] Besides all that,—it rests me, and gives me a chance, you know, to get my breath. [*Applause and hisses.*] And I think that the bark of those men is worse than their bite. They do not mean any harm—they don't know any better. [*Loud laughter, applause, hisses, and continued uproar.*] I was saying, when these responses broke in, that it was worth our while to consider both alternatives. What will be the result if this present struggle shall eventuate in the separation of America, and making the South—[*loud applause, hisses, hooting, and cries of "Bravo!"*]—a slave territory exclusively—[*cries of "No, no," and laughter*]—and the North a free territory; what will be the first result? You will lay the foundation

for carrying the slave population clear through to the Pacific Ocean. That is the first step. There is not a man who has been a leader of the South any time within these twenty years, that has not had this for a plan. It was for this that Texas was invaded, first by colonists, next by marauders, until it was wrested from Mexico. It was for this that they engaged in the Mexican war itself, by which the vast territory reaching to the Pacific was added to the Union. Never have they for a moment given up the plan of spreading the American institution, as they call it, straight through towards the West, until the slave, who has washed his feet in the Atlantic, shall be carried to wash them in the Pacific. [*Cries of "Question," and uproar.*] There! I have got that statement out, and you cannot put it back. [*Laughter and applause.*]

Now, let us consider the prospect. If the South become a slave empire, what relation will it have to you as a customer? [*A voice: "Or any other man." Laughter.*] It would be an empire of twelve millions of people. Of these, eight millions are white and four millions black. [*A voice: "How many have you got?"—applause and laughter. Another voice: "Free your own slaves."*] Consider that one-third of the whole are the miserably poor, unbuying blacks. [*Cries of "No, no," "Yes, yes," and interruption.*] You do not manufacture much for them. [*Hisses, "Oh!" "No."*] You have not got machinery coarse enough. [*Laughter, and "No."*] Your labor is too skilled by far to manufacture bagging and linsey-woolsey. [*A Southerner: "We are going to free them every one."*] Then you and I agree exactly. [*Laughter.*] One other third consists of a poor, unskilled, degraded white population; and the remaining one-third, which is a large allowance, we will say, intelligent and rich. Now here are twelve millions of people, and only one-third of them are customers that can afford to buy the kind of goods that you bring to market. [*Interruption and uproar.*] My friends, I saw a man once, who was a little late at a railway station, chase an express train. He did not catch it. [*Laughter.*] If you are going to stop this meeting, you have got to stop it before I speak; for after I have got the things out, you may chase as long as you please—you will not catch them. [*Laughter and interruption.*] But there is luck in leisure; I'm going to take it easy. [*Laughter.*] Two-thirds of the popu-

lation of the Southern States to-day are non-purchasers of English goods. [*A voice: "No, they are not;" "No, no," and uproar.*] You must recollect another fact—namely, that this is going on clear through to the Pacific Ocean; and if by sympathy or help you establish a slave empire, you sagacious Britons—["*Oh, oh," and hooting*]—if you like it better, then, I will leave the adjective out—[*laughter, hear, and applause*]—are busy in favoring the establishment of an empire from ocean to ocean that should have fewest customers and the largest non-buying population. [*Applause, "No, no." A voice: "I thought it was the happy people that populated fastest."*]

Now, for instance, just look at this, the difference between free labor and slave labor to produce cultivated land. The State of Virginia has 15,000 more square miles of land than the State of New York; but Virginia has only 15,000 square miles improved, while New York has 20,000 square miles improved. Of unimproved land Virginia has about 23,000 square miles, and New York only about 10,000 square miles. These facts speak volumes as to the capacity of the territory to bear population. The smaller is the quantity of soil uncultivated, the greater is the density of the population—[*hear, hear*];—and upon that, their value as customers depends. Let us take the States of Maryland and Massachusetts. Maryland has 2,000 more square miles of land than Massachusetts; but Maryland has about 4,000 square miles of land improved, Massachusetts has 3,200 square miles. Maryland has 2,800 unimproved square miles of land, while Massachusetts has but 1,800 square miles unimproved. But these two are little States,—let us take greater States: Pennsylvania and Georgia. The State of Georgia has 12,000 more square miles of land than Pennsylvania. Georgia has only about 9,800 square miles of improved land, Pennsylvania has 13,400 square miles of improved land, or about 2,300,000 acres more than Georgia. Georgia has about 25,600 square miles of unimproved land, and Pennsylvania has only 10,400 square miles, or about 10,000,000 acres less of *un*improved land than Georgia. The one is a Slave State and the other is a Free State. I do not want you to forget such statistics as those, having once heard them. [*Laughter.*]

Now, what can England make for the poor white population of such a future empire, and for her slave population? What carpets, what linens, what cottons can you sell to them? What machines, what looking-glasses, what combs, what leather, what books, what pictures, what engravings? [*A voice: "We'll sell them ships."*] You may sell ships to a few, but what ships can you sell to two-thirds of the population of poor whites and blacks? [*Applause.*] A little bagging and a little linsey-woolsey, a few whips and manacles, are all that you can sell for the slave. [*Great applause, and uproar.*] This very day, in the Slave States of America there are eight millions out of twelve millions that are not, and cannot be your customers from the very laws of trade. [*A voice: "Then how are they clothed?" and continued interruption.*]

The chairman finally said: If gentlemen will only sit down, those who are making the disturbance will be tired out.

Mr. Beecher resumed:

There are some apparent drawbacks that may suggest themselves. The first is that the interests of England consist in drawing from any country its raw material. [*A voice: "We have got over that."*] There is an interest, but it is not now the chief interest of England. The interest of England is not merely where to buy her cotton, her ores, her wool, her linens, and her flax. When she has put her brains into the cotton, and into the linen and flax, and it becomes the product of her looms, a far more important question is, What can be done with it? England does not want merely to pay prices for that which brute labor produces, but to get a price for that which brain labor produces. [*Hear, hear, and applause.*] Your interest lies beyond all peradventure in customers; therefore, if you should bring ever so much cotton from the slave-empire—[*"Yah, yah"*]—you cannot sell back to the slave-empire. [*A voice: "Go on with your subject; we know all about England."*] Excuse me, sir, I am the speaker, not you; and it is for me to determine what to say. [*Hear, hear.*] Do you suppose I am going to speak about America except to convince Englishmen? I am here to talk to you for the sake of ultimately carrying you with me in judgment and in thinking—[*"Oh! oh!"*]—however, as to this logic of cat-calls,

it is slavery logic,—I am used to it. [*Applause, hisses and cheers.*] Now, it is said that if the South should be allowed to be separate there will be no tariff, and England can trade with her; but, if the South remains in the United States it will be bound by a tariff, and English goods will be excluded from it [*interruption*]. Well, I am not going to shirk any question of that kind. In the first place, let me tell you that the first tariff ever proposed in America was not only supported by Southern interests and votes, but was originated by the peculiar structure of Southern society. The first and chief difficulty —after the Union was formed under our present Constitution— the first difficulty that met our fathers was, how to raise taxes to support the government; and the question of representation and taxes went together; and the difficulty was, whether we should tax the North and South alike, man for man *per caput*, counting the slaves with whites. The North having fewer slaves in comparison with the number of its whites; the South, which had a larger number of blacks, said, "We shall be overtaxed if this system be adopted." They therefore proposed that taxes and representation should be on the basis of five black men counting as three white men. In a short time it was found impossible to raise these taxes in the South, and then they cast about for a better way, and the tariff scheme was submitted. The object was to raise the revenue from the ports instead of from the people. The tariff therefore had its origin in Southern weakness and necessities, and not in the Northern cities [*loud applause*]. Daniel Webster's first speech was against it; but after that was carried by Southern votes (which for more than fifty years determined the law of the country), New England accepted it, and saying, "It is the law of the land," conformed her industry to it; and when she got her capital embarked in mills and machinery, she became in favor of it. But the South, beginning to feel, as she grew stronger, that it was against her interest to continue the system, sought to have the tariff modified, and brought it down; though Henry Clay, a Southern man himself, was the immortal champion of the tariff. All his life-time he was for a high tariff, till such a tariff could no longer stand; and then he was for moderating the tariff. But there has not been for the whole of the fifty years a single hour when any tariff could be passed without the South.

The opinion of the whole of America was, Tariff, high tariff. I do not mean that there were none that dissented from that opinion, but it was the popular and prevalent cry. I have lived to see the time when, just before the war broke out, it might be said that the thinking men of America were ready for free-trade. There has been a steady progress throughout America for free-trade ideas.

How, then, came this Morrill tariff? The Democratic administration, inspired by Southern counsels, left millions of millions of unpaid debt to cramp the incoming of Lincoln; and the government, betrayed to the Southern States, found itself unable to pay those debts, unable to build a single ship, unable to raise an army; and it was the exigency, the necessity, that forced them to adopt the Morrill tariff, in order to raise the money which they required. It was the South that obliged the North to put the tariff on. [*Applause and uproar.*] Just as soon as we begin to have peace again, and can get our national debt into a proper shape as you have got yours—[*laughter*]—the same cause that worked before will begin to work again; and there is nothing more certain in the future than that America is bound to join with Great Britain in the worldwide doctrine of free-trade. [*Applause and interruption.*]

Here then, so far as *this* argument is concerned, I rest my case, saying that it seems to me that in an argument addressed to a commercial people it was perfectly fair to represent that their commercial and manufacturing interests tallied with their moral sentiments; and as by birth, by blood, by history, by moral feeling, and by everything, Great Britain is connected with the liberty of the world, God has joined interest and conscience, head and heart; so that you ought to be in favor of liberty everywhere. [*Great applause.*] There! I have got quite a speech out already, if I do not get any more. [*Hisses and applause.*]

Now then, leaving this for a time, let me turn to some other nearly connected topics. It is said that the South is fighting for just that independence of which I have been speaking. [*Hear, hear.*] But the South is divided on that subject. [*"No, no."*] There are twelve millions in the South. Four millions of them are asking for their liberty. [*"No, no," hisses, "Yes," applause and interruption.*] Four millions are asking for their liberty. [*Continued interruption,*

*and renewed applause.*] Eight millions are banded together to prevent it. [*"No, no," hisses, and applause.*] That is what they asked the world to recognize as a strike for independence. [*Hear, hear, and laughter.*] Eight million white men fighting to prevent the liberty of four million black men, challenging the world. [*Uproar, hisses, applause, and continued interruption.*] You cannot get over the fact. There it is; like iron, you cannot stir it. [*Uproar.*] They went out of the Union because slave-property was not recognized in it. There were two ways of reaching slave-property in the Union: the one by exerting the direct Federal authority: but they could not do that, for they conceived it to be forbidden. The second was by indirect influence. If you put a candle under a bowl it will burn so long as the fresh air lasts, but it will go out as soon as the oxygen is exhausted; and so, if you put slavery into a State where it cannot get more States, it is only a question of time how soon it will die. By limiting slave territory you lay the foundation for the final extinction of slavery. [*Applause.*] Gardeners say that the reason why crops will not grow in the same ground for a long time together, is that the roots excrete poisoned matter which the plants cannot use, and thus poison the grain. Whether this is true of crops or not, it is certainly true of slavery, for slavery poisons the land on which it grows. Look at the old Slave States,—Delaware, Maryland, Virginia, Kentucky, Tennessee, and even at the newer State of Missouri. What is the condition of slavery in those States? It is not worth one cent, except to breed. It is not worth one cent so far as productive energy goes. They cannot make money by their slaves in those States. The first reason with them for maintaining slavery is, because it gives political power; and the second, because they breed for the Southern market. I do not stand on my own testimony alone. The editor of the *Virginia Times*, in the year 1836, made a calculation that 120,000 slaves were sent out of the State during that year; 80,000 of whom went with their owners, and 40,000 were sold at the average price of 600 dollars, amounting to 24,000,000 dollars in one year out of the State of Virginia. Now, what does Henry Clay, himself a slave-owner, say about Kentucky? In a speech before the Colonization Society, he said: "It is believed that nowhere in the farming portion of the United States would

slave-labor be generally employed, if the proprietary were not compelled to raise slaves by the high price of the Southern market," and the only profit of slave property in the Northern farming slave States is the value they bring. [*A voice: "Then if the Northerners breed to supply the South, what's the difference?"*] So that if you were to limit slavery, and to say, it shall go so far and no further, it would be only a question of time when it should die of its own intrinsic weakness and disease. This was the Northern feeling. The North was true to the doctrine of constitutional rights. The North refused, by any Federal action within the States, to violate the compacts of the Constitution, and left local compacts unimpaired; but feeling herself unbound with regard to what we call the Territories, —free land which has not yet State rights,—the North said there should be no more territory cursed with slavery. [*Applause.*] With unerring instinct the South said, "The government administered by Northern men on the principle that there shall be no more slave-territory, is a government fatal to slavery," and it was on that account that they seceded [*"No, no," "Yes, yes," applause, hisses, and uproar*]—and the first step which they took when they assembled at Montgomery, was, to adopt a constitution. What constitution did they adopt? The same form of constitution which they had just abandoned. What changes did they introduce? A trifling change about the Presidential term, making it two years longer; a slight change about some doctrine of legislation, involving no principle whatever, but merely a question of policy. But by the constitution of Montgomery they *legalized slavery*, and made it the *organic law of the land*. The very Constitution which they said they could not live under when they left the Union they took again immediately afterwards, altering it in only one point, and that was, making the fundamental law of the land to be slavery. [*Hear, hear.*] Let no man undertake to say in the face of intelligence—let no man undertake to delude an honest community—by saying that slavery had nothing to do with the Secession. Slavery is the framework of the South; it is the root and the branch of this conflict with the South. Take away slavery from the South, and she would not differ from us in any respect. There is not a single antagonistic interest. There is no difference of race, no difference of language, no difference

of law, no difference of constitution; the only difference between us is, that free labor is in the North, and slave labor in the South. [*Loud applause.*]

But I know that you say, you cannot help sympathizing with a gallant people. [*Hear, hear.*] They are the weaker people, the minority; and you cannot help going with the minority who are struggling for their rights against the majority. Nothing could be more generous, when a weak party stands for its own legitimate rights against imperious pride and power, than to sympathize with the weak. But who ever yet sympathized with a weak thief, because three constables had got hold of him? [*Hear, hear.*] And yet the one thief in three policemen's hands is the weaker party; I suppose *you* would sympathize with him! [*Hear, hear, laughter, and applause.*] Why, when that infamous king of Naples, Bomba, was driven into Gaeta by Garibaldi with his immortal band of patriots, and Cavour sent against him the army of Northern Italy, who was the weaker party then? The tyrant and his minions; and the majority was with the noble Italian patriots, struggling for liberty. I never heard that Old England sent deputations to King Bomba, and yet his troops resisted bravely there. [*Laughter and interruption.*] To-day the majority of the people of Rome are with Italy. Nothing but French bayonets keeps her from going back to the Kingdom of Italy, to which she belongs. Do you sympathize with the minority in Rome or the majority in Italy? [*A voice: "With Italy."*] To-day the South is the minority in America, and they are fighting for "independence!" For what? [*Uproar. A voice: "Three cheers for independence," and hisses.*] I could wish so much bravery had had a better cause, and that so much self-denial had been less deluded; that that poisonous and venomous doctrine of State Sovereignty might have been kept aloof; that so many gallant spirits, such as Stonewall Jackson, might still have lived. [*Great applause and loud cheers, again and again renewed.*] The force of these facts, historical and incontrovertible, cannot be broken, except through diverting attention by an attack upon the North. It is said that the North is fighting for Union, and not for emancipation. The North *is* fighting for Union, for that *insures* emancipation. [*Loud cheers, "Oh, oh," "No, no," and cheers.*] A great many men say to ministers

of the Gospel: "You pretend to be preaching and working for the love of the people? Why, you are all the time preaching for the sake of the church." What does the minister say? "It is by means of the church that we help the people," and when men say that we are fighting for the Union, I too say we are fighting for the Union. [*Hear, hear, and a voice: "That's right."*] But the motive determines the value; and why are we fighting for the Union? Because we never shall forget the testimony of our enemies. They have gone off declaring that the Union in the hands of the North was fatal to slavery. [*Loud applause.*] There is testimony in court for you! [*A voice: "See that," and laughter.*]

We are fighting for the Union, because we believe that preamble, which explains the very reason for which the Union was constituted. I will read it. "We"—not the States—"We the *People* of the United States, in order to form a more perfect Union" [*uproar*]—I don't wonder you don't want to hear it [*laughter*]—"in order to form a more perfect Union, establish Justice, insure domestic Tranquillity [*uproar*]—provide for the common Defense, promote the general Welfare, and secure the Blessings of Liberty ["*Oh, oh*"]—to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." [*A voice: "How many States?"*] It is for the sake of that justice, that common welfare, and that liberty for which the National Union was established, that we fight for the Union. [*Interruption.*] Because the South believed that the Union was against slavery, they left it. [*Renewed interruption.*] Yes. [*Applause, and "No, no."*] To-day, however, if the North believed that the Union was against liberty, they would leave it. ["*Oh, oh,*" *and great disturbance.*]

Gentlemen, I have traveled in the West ten or twelve hours at a time in the mud knee-deep. It was hard, toiling my way, but I always got through my journey. I feel to-night as though I were traveling over a very muddy road; but I think I shall get through. [*Cheers.*]

Well, next it is said, that the North treats the negro race worse than the South. [*Applause, cries of "Bravo!" and uproar.*] Now, you see I don't fear any of these disagreeable arguments. I am going to face every one of them. In the first place I am ashamed to

confess that such was the thoughtlessness—[*interruption*]—such was the stupor of the North—[*renewed interruption*]—you will get a word at a time; to-morrow will let folks see what it is you don't want to hear—that for a period of twenty-five years she went to sleep, and permitted herself to be drugged and poisoned with the Southern prejudice against black men. [*Applause and uproar.*] The evil was made worse, because, when any object whatever has caused anger between political parties, a political animosity arises against that object, no matter how innocent in itself; no matter what were the original influences which excited the quarrel. Thus the colored man has been the football between the two parties in the North, and has suffered accordingly. I confess it to my shame. But I am speaking now on my own ground, for I began twenty-five years ago, with a small party, to combat the unjust dislike of the colored man. [*Loud applause, dissension, and uproar. The interruption at this point became so violent that the friends of Mr. Beecher throughout the hall rose to their feet, waving hats and handkerchiefs, and renewing their shouts of applause. The interruption lasted some minutes.*] Well, I have lived to see a total revolution in the Northern feeling—I stand here to bear solemn witness of that. It is not my opinion; it is my knowledge. [*Great uproar.*] Those men who undertook to stand up for the right of all men—black as well as white—have increased in number; and now what party in the North represents those men that resist the evil prejudices of past years? The Republicans are that party. [*Loud applause.*] And who are those men in the North that have oppressed the negro? They are *the Peace Democrats; and the prejudice for which in England you are attempting to punish me, is a prejudice raised by the men who have opposed me all my life.* These pro-slavery Democrats abused the negro. I defended him, and they mobbed me for doing it. Oh, justice! [*Loud laughter, applause, and hisses.*] This is as if a man should commit an assault, maim and wound a neighbor, and a surgeon being called in should begin to dress his wounds, and by and by a policeman should come and collar the surgeon and haul him off to prison on account of the wounds which he was healing.

Now, I told you I would not flinch from anything. I am going to read you some questions that were sent after me from Glasgow,

purporting to be from a working man. [*Great interruption.*] If those pro-slavery interrupters think they will tire me out, they will do more than eight millions in America could. [*Applause and renewed interruption.*] I was reading a question on your side, too.

> Is it not a fact that in most of the Northern States laws exist precluding negroes from equal civil and political rights with the whites? That in the State of New York the negro has to be the possessor of at least two hundred and fifty dollars' worth of property to entitle him to the privileges of a white citizen? That in some of the Northern States the colored man, whether bond or free, is by law excluded altogether, and not suffered to enter the State limits, under severe penalties? and is not Mr. Lincoln's own State one of them; and in view of the fact that the $20,000,000 compensation which was promised to Missouri in aid of emancipation was defeated in the last Congress (the strongest Republican Congress that ever assembled), what has the North done towards emancipation?

Now, then, there's a dose for you. [*A voice: "Answer it."*] And I will address myself to the answering of it.

And first, the bill for emancipation in Missouri, to which this money was denied, was a bill which was drawn by what we call "log-rollers," who inserted in it an enormously disproportioned price for the slaves. The Republicans offered to give them $10,000,000 for the slaves in Missouri, and *they* outvoted it because they could not get $12,000,000. Already half the slave-population had been "run" down South, and yet they came up to Congress to get $12,000,000 for what was not worth ten millions, nor even eight millions.

Now as to those States that had passed "black" laws, as we call them, they are filled with Southern immigrants. The Southern part of Ohio, the Southern part of Indiana, where I myself lived for years, and which I knew like a book, the Southern part of Illinois, where Mr. Lincoln lives [*great uproar*], these parts are largely settled by immigrants from Kentucky, Tennessee, Georgia, Virginia, and North Carolina, and it was their votes, or the Northern votes pandering for political reasons to theirs, that passed in those States the infamous "black" laws; and the Republicans in these States have a record, clean and white, as having opposed these laws in every instance as "infamous."

Now as to the State of New York, it is asked whether a negro

is not obliged to have a certain freehold property, or a certain amount of property, before he can vote. It is so still in North Carolina and Rhode Island for *white* folks—it is so in New York State. [*Mr. Beecher's voice slightly failed him here, and he was interrupted by a person who tried to imitate him; cries of "Shame," and "Turn him out."*] I am not undertaking to say that these faults of the North, which were brought upon them by the bad example and influence of the South, are all cured; but I do say that they are in a *process* of cure which promises, if unimpeded by foreign influence, to make all such odious distinctions vanish.

"Is it not a fact that in most of the Northern States laws exist precluding negroes from equal civil and political rights with the whites?" I will tell you. Let us compare the condition of the negro in the North and the South, and that will tell the story. By express law the South takes away from the slave all attributes of manhood, and calls him "chattel," which is another word for "cattle." [*Hear, hear, and hisses.*] No law in any Northern State calls him anything else but a person. [*Applause.*] The South denies the right of legal permanent marriage to the slave. There is not a State in the North where the marriage of the slave is not as sacred as that of any free white man. [*Immense cheering.*] Throughout the South, since the slave is not permitted to live in anything but in concubinage, his wife, so called, is taken from him at the will of his master, and there is neither public sentiment nor law that can hinder most dreadful and cruel separations every year in every county and town. There is not a State, county, or town, or school district in the North, where, if any man dare to violate the family of the poorest black man, there would not be an indignation that would overwhelm him. [*Loud applause. A voice: "How about the New York Riots?"*] Pro-slavery Irishmen made that. [*Laughter.*] In the South by statutory law it is a penitentiary offense to teach a black man to read and write. In the North not only are hundreds and thousands of dollars of State money expended in teaching colored people, but they have their own schools, their own academies, their own churches, their own ministers, their own lawyers. [*Cheers and hisses.*] In the South, black men are bred, exactly as cattle are bred in the North, for the market and for sale. Such dealing is considered horrible beyond

expression in the North. In the South the slave can own nothing by law [*interruption*], but in the single city of New York there are ten million dollars of money belonging to free colored people. [*Loud applause.*] In the South no colored man can determine [*uproar*]—no colored man can determine in the South where he will work, nor at what he will work; but in the North—except in the great cities, where we are crowded by foreigners,—in any country-part, the black man may choose his trade and work at it, and is just as much protected by the laws as any white man in the land. [*Applause.*] I speak with authority on this point. [*Cries of "No."*] When I was twelve years old, my father hired Charles Smith, a man as black as lampblack, to work on his farm. I slept in the same room with him. [*"Oh, oh."*] Ah, that don't suit you! [*Uproar.*] Now, you see, the South comes out. [*Loud laughter.*] I ate with him at the same table; I sang with him out of the same hymn-book [*"Good."*]; I cried, when he prayed over me at night; and if I had serious impressions of religion early in life, they were due to the fidelity and example of that poor humble farm-laborer, black Charles Smith. [*Tremendous uproar and cheers.*] In the South, no matter what injury a colored man may receive, he is not allowed to appear in court nor to testify against a white man. [*A voice: "That's fact."*] In every single court of the North a respectable colored man is as good a witness as if his face were white as an angel's robe. [*Applause and laughter.*] I ask any truthful and considerate man whether, in this contrast, it does not apear that, though faults may yet linger in the North uneradicated, the state of the negro in the North is not immeasurably better than anywhere in the South? [*Applause.*] And now, for the first time in the history of America [*great interruption*],—for the first time in the history of the United States a colored man has received a commission under the broad seal and signature of the President of the United States. [*Loud applause.*] This day [*renewed interruption*]—this day, Frederick Douglass, of whom you all have heard here, is an officer of the United States [*loud applause*], a commissioner sent down to organize colored regiments on Jefferson Davis's farm in Mississippi. [*Uproar and applause, and a voice, "You put them in the front of the battle too."*]

There is another fact that I wish to allude to—not for the sake of reproach or blame, but by way of claiming your more lenient consideration—and that is, that slavery was entailed upon us by your action. [*Hear, hear.*] Against the earnest protests of the colonists the then Government of Great Britain—I will concede, not knowing what were the mischiefs—ignorantly, but in point of fact, forced slave traffic on the unwilling colonists. [*Great uproar, in the midst of which one individual was lifted up and carried out of the room amidst cheers and hisses.*]

The Chairman: If you would only sit down no disturbance would take place.

The disturbance having subsided, Mr. Beecher proceeded:—

I was going to ask you, suppose a child is born with hereditary disease; suppose this disease was entailed upon him by parents who had contracted it by their own misconduct, would it be fair that those parents, that had brought into the world the diseased child, should rail at that child because it was diseased? [*"No, no."*] Would not the child have a right to turn round and say, "Father, it was your fault that I had it, and you ought to be pleased to be patient with my deficiencies." [*Applause and hisses, and cries of "Order."*]

Great interruption and great disturbance here took place on the right of the platform; and the chairman said that if the persons around the unfortunate individual who had caused the disturbance would allow him to speak alone, but not assist him in making the disturbance, it might soon be put an end to. The interruption was continued until another person was carried out of the hall.

(Mr. Beecher continued:—)

I do not ask that you should justify slavery in us now because it was wrong in you two hundred years ago; but having ignorantly been the means of fixing it upon us, now that we are struggling with mortal struggles to free ourselves from it, we have a right to your tolerance, your patience, and charitable construction.

I am every day asked when this war will end. [*Interruption.*] I wish I could tell you; but remember, slavery is the cause of the war. [*Hear, hear, applause, "Yes," "No."*] Slavery has been working for more than one hundred years, and a chronic evil cannot be

suddenly cured; and as war is the remedy, you must be patient to have the conflict long enough to cure the inveterate hereditary sore. [*Hisses, loud applause, and a voice: "We'll stop it."*] But of one thing I may give you assurance—this war won't end until the cancer of slavery is cut out by the roots. [*Loud applause, hisses, and tremendous uproar.*] I will read you a word from President Lincoln. [*Renewed uproar.*] It is a letter from Theodore Tilton. [*Hisses and cheers.*] Won't you hear what President Lincoln thinks? [*"No, no."*] Well, you can hear it or not. It will be printed whether you hear it or hear it not. [*Hear, and cries of "Read, read."*] Yes, I will read. "A talk with President Lincoln revealed to me a great growth of wisdom. For instance, he said he was not going to press the colonization idea any longer, nor the gradual scheme of emancipation, expressing himself sorry that the Missourians had postponed emancipation for seven years. He said, 'Tell your anti-slavery friends that I am coming out all right.' He is desirous that the Border States shall form free constitutions, recognizing the proclamation, and thinks this will be made feasible by calling on loyal men." [*A voice: "What date is that letter" and interruption.*]

Ladies and gentlemen, I have finished the exposition of this troubled subject. [*Renewed and continued interruption.*] No man can unveil the future; no man can tell what revolutions are about to break upon the world; no man can tell what destiny to France, nor to any of the European powers; but one thing is certain, that in the exigencies of the future there will be combinations and recombinations, and that those nations that are of the same faith, the same blood, and the same substantial interests, ought not to be alienated from each other, but ought to stand together. [*Immense cheering and hisses.*] I do not say that you ought not to be in the most friendly alliance with France or with Germany; but I do say that your own children, the offspring of England, ought to be nearer to you than any people of strange tongue. [*A voice: "Degenerate sons," applause and hisses; another voice: "What about the Trent?"*] If there have been any feelings of bitterness in America, let me tell you they have been excited, rightly or wrongly, under the impression that Great Britain was going to intervene

between us and our own lawful struggle. [*A voice: "No," and applause.*] With the evidence that there is no such intention all bitter feelings will pass away. [*Applause.*] We do not agree with the recent doctrine of neutrality as a question of law. But it is past, and we are not disposed to raise that question. We accept it now as a fact, and we say that the utterance of Lord Russell at Blairgowrie [*applause, hisses, and a voice: "What about Lord Brougham?"*]—together with the declaration of the government in stopping war-steamers here [*great uproar, and applause*]—has gone far towards quieting every fear and removing every apprehension from our minds. [*Uproar and shouts of applause.*] And now in the future it is the work of every good man and patriot not to create divisions, but to do the things that will make for peace. [*"Oh, oh," and laughter.*] On our part it shall be done. [*Applause and hisses, and "No, no."*] On your part it ought to be done; and when in any of the convulsions that come upon the world, Great Britain finds herself struggling single-handed against the gigantic powers that spread oppression and darkness [*applause, hisses, and uproar*], there ought to be such cordiality that she can turn and say to her first-born and most illustrious child, "Come!" [*Hear, hear, applause, tremendous cheers, and uproar.*] I will not say that England cannot again, as hitherto, single-handed, manage any power [*applause and uproar*]—but I will say that England and America together for religion and liberty [*a voice: "Soap, soap," uproar, and great applause*]—are a match for the world. [*Applause; a voice: "They don't want any more soft soap."*]

Now, gentlemen and ladies—[*a voice: "Sam Slick"; and another voice: "Ladies and gentlemen, if you please"*]—when I came I was asked whether I would answer questions, and I very readily consented to do so, as I had in other places; but I will tell you it was because I expected to have the opportunity of speaking with some sort of ease and quiet. [*A voice: "So you have."*] I have for an hour and a half spoken against a storm [*hear, hear*]—and you yourselves are witnesses that, by the interruption, I have been obliged to strive with my voice, so that I no longer have the power to control it in the face of this assembly. [*Applause.*] And although I am in spirit perfectly willing to answer any question, and more than glad of

the chance, yet I am by this very unnecessary opposition to-night incapacitated physically from doing it.

(Mr. Beecher did answer three questions, neverthless, which were sent to the platform. The audience was still turbulent but more tolerant of the speaker than in the beginning of the speech. In closing, the managers of the meeting proposed a vote of thanks to Mr. Beecher. In spite of hisses, cat-calls, and interruptions, the motion was carried with prolonged cheering and waving of hats.)

# II. POLITICAL CAMPAIGN SPEECHES

## I. THE RED LINE OF CORRUPTION

### JAMES A. REED

*Speaker:* United States Senator from Missouri since 1911; Chairman of the Senatorial Investigating Committee upon Corrupt Campaign Expenditures.

*Occasion:* Annual meeting of the Indiana Democratic Editorial Association, Indianapolis, February 15, 1927.

*Audience:* Those actually present were limited to members of the Democratic Editorial Association, guests, and press representatives; but since the speech was broadcast by radio station WFBM and also appeared in full in newspapers, the greater audience at which the speech was in reality aimed, was vastly larger than that actually present before the speaker.

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This was a speech not given during the course of any political campaign. It was not intended to help elect any particular candidate. But it was a time when party leaders were perfecting their organization and laying the foundation for campaigns of the future. The speaker, then especially in the public eye as responsible for the exposure of corrupt campaign expenditures, seized upon what he conceived to be the most vulnerable spot of the opposing party as a means of giving impetus to the organization plans of his hearers.

(From the stenographic copy appearing in *The Indianapolis Times*, February 16, 1927)

I trust that nothing I may say to-night will be taken as a reflection upon the integrity or patriotism of individual Republicans.

We cannot determine the quality of a man's integrity by ascertaining his political adherence. Men of all parties possess their virtues and vices.

I frankly concede that the individual Republican is patriotic, desires good-government and would like to see the public business conducted impartially and honestly just as Democrats so desire.

When, however, we consider the two parties in the aggregate, measuring them by their party policies and estimating them by the conduct of their party policies and estimating them by the conduct of their party leaders, we are forced to conclude that nearly all the great political scandals which have shocked the national conscience must be laid at the door of the Republican party.

The reason may be found in the influences which give direction to party councils and dominate officers selected at such councils.

If the purpose for which a party exists is to render disinterested service to the country, that spirit will influence the conduct of officers by it selected.

If, however, the party is controlled by those who seek to exploit the government for their own advantage, bribery, fraud and all forms of villainy are bound to come into existence.

Without for a moment pretending the Democratic party is composed exclusively of saints, or that selfish influences have not at times been exerted upon it, the truth nevertheless remains that, speaking broadly, this may be said of our party, viz:

Its cardinal principles were first formulated in the brain of the greatest protagonist of human liberty who ever lived, Thomas Jefferson.

He, more than all others, believed in the right of the people to govern themselves.

His great blows were always struck for freedom.

His pen never wrote a law limiting individual rights.

He never framed a statute creating a special privilege or granting to any interest the power to prey upon the people.

He constantly sought to limit the powers of government. Upon the anvil of justice with the hammer of logic he broke into fragments the shackles of precedent and privilege.

He declared that in the intellectual and spiritual world there were no human masters; that there were no dungeons for the mind—no prisons for the soul.

In an age of intolerance, he compelled bigots to accept the statute of religious liberty. For the dogma of divine rights of kings he substituted the doctrine of the inalienable liberties of men.

He abolished titles and conferred on all citizens the nobility of

freemen. He sought to secure the liberties of individuals by limiting the powers of government and by writing in the fundamentals of our governmental structure such doctrines of limitation on Government as:

"All men are born free and equal—

"Are entitled to life, liberty and the pursuit of happiness.

"And these rights are inalienable."

He reserved the right of the people to keep and bear arms. Forbade Congress from prohibiting the free exercise of religion, abridging freedom of speech and of the press, the right of peaceable assemblage or of petition against grievances.

He forbade the quartering of soldiers upon the citizen; the making of unreasonable searches and seizures; the trial of a citizen for an infamous crime except upon indictment; the placing of a citizen twice in jeopardy or compelling the citizen to give testimony against himself in criminal cases.

He forbade the requirement of excessive bail; the imposition of cruel and unusual punishment; the refusal of speedy trial aided by witness and counsel; and denied to the Government the right to deprive a citizen of a trial by a jury of his peers.

Nowhere do we find a law limiting individual liberty—always he built bulwarks against arbitrary power.

The dominant element of his philosophy was that Government is established solely to secure and safeguard the natural rights of man.

Government, therefore, was to be a simple thing. Its officers were the servants of the people; their chosen agents granted a limited authority to be exercised equally for the benefit of all.

To such a scheme the regulation of personal habits or thought or the creation of special privilege was utterly repugnant.

These iniquities were to be cast out along with titles of aristocracy, royal grants of monopoly and the prerogatives of kings.

Such was the original direction given to the stream of democracy. That stress, subject to many meanderings and obstructions, has nevertheless held to its general course.

Against it from the first was arrayed self-elected intellectuals who distrusted the people, and sordid interests seeking to employ the government for the exploitation of the masses.

Under various names this opposition has rallied. Its management has usually been efficient and its financial resources incalculable.

It early seized the Republican organization.

One of the first prizes for which it contended was the right to set up the Bank of the United States and to procure the purchase of colonial script, for the benefit of speculations.

These objects were fathered by Alexander Hamilton, the idol of the Republican party, and were accomplished by corruption in Congress.

Later, in 1869, the great money prize grew out of the financing of the Union Pacific Railway, resulting in the Credit Mobilier scandal. A congressional investigation which demonstrated that large blocks of stock of the company had been distributed among members of Congress, by Oakes Ames, a Republican Representative from Massachusetts.

The Wilson committee in 1873, investigating these frauds, traced the guilty participation to Schuyler Colfax, then Vice President of the United States, but speaker of the House of Representatives at the time of the transactions.

The committee produced convincing evidence that other great Republicans were not free from taint and recommended expulsion from the Senate of Senator James W. Patterson of New Hampshire, a Republican. He escaped penalty, because his term of office expired before he could be brought to trial.

At that early date the alliance between crooked money and the leaders of the Republican party was thus established beyond question.

The Administration of General Grant was blackened by the operations of the whisky ring, which robbed the Government of millions of revenue.

Among the members of this conspiracy was Avery, chief clerk of the Treasury Department, and O. E. Babcock, the private secretary and confidential advisor of the President.

The scandal shocked the country and under normal conditions the Republican party would have suffered a crushing defeat. It survived only because the embers of the then existing hatreds of

the North toward the South were fanned into a flame in the glare of which the people lost sight of the great issue of the hour.

In 1876 Tilden was elected President of the United States upon the platform of "turn the rascals out." He was deprived of his office by as villainous a piece of fraud as ever defaced the annals of any nation. It was probably due to the patriotism of Tilden, who counseled moderation and sacrifice, that a most serious condition was prevented.

The great prize for which the exploiters of government have contended for the past seventy years has been the right to levy a tariff tax for the benefit of favored corporations engaged in manufacture.

The Republican party yielded to the demands of these influences for the perpetuation of the tariff after the Civil War, and from that day to this their money and influence have been thrown to the Republican party in every election, and in turn that party has subserviently yielded to the demands made upon it.

The result has been that vast sums of money have been collected and poured into every campaign. Corruption has become organized, and in some States has been almost uniformly successful.

In Pennsylvania, Quay collected immense corruption funds from the protected interests, and boldly and blatantly carried on his operations.

He was succeeded by Penrose, whose death disclosed a safe deposit box crammed with some two or three hundred thousand dollars of currency which was intended to be used as the original ante in the political jackpot.

That State had been organized, the groundwork laid by the successful perpetrators of the frauds and iniquities to which I shall later at some length refer.

Addicks defiled the political waters of Delaware. The exposure of his iniquities amazed all decent pople.

Yet, he insolently persisted in his efforts to corruptly gain a seat in the United States Senate, so that State for some two years only had one representative in the Senate.

The circumstances attending the election of Du Pont were never fully revealed, but enough came to light to defeat that gentleman

for re-election and to temporarily attach to the State of Delaware the inglorious title, "Rotten Borough of America." This I do not say to reflect upon Delaware, but merely record the historical fact. The decent citizens of Delaware, of course, gravely regretted the condition.

Clark of Montana, in this case a Democrat, undertook to bribe the Legislature of Montana. He was caught in the act. One of the results was the election to the Senate of an honest man who exposed the iniquity.

Clark appears to have played the part of a lone-wolf. He possessed a great fortune. He simply undertook to buy a seat in the Senate on his own account, but all of the other operations to which I have referred were related to and employed the machinery of the Republican party.

The control by corrupt money of the party machinery became absolute during the reign of Marcus A. Hanna. He boldly declared that the protected industries had become enriched by the policies of the Republican party, and that he proposed to fry the fat out of them for campaign purposes.

He gathered an immense corruption fund. He purchased the Negro delegates from Southern States and thus controlled the party convention.

Every form of coercion was used by employers to force their workmen to vote against their will. Every scheme of bribery was called into use. It was a saturnalia of boodle, bribery and force.

The infamous methods were triumphant and accomplished the defeat of Bryan.

From that day on the protected industries looked to the Republican party for the perpetuation of their legalized graft, and the Republican party management in turn has looked to the protected industries for its campaign funds.

I am coming now to more recent events.

The campaign of 1920 was approaching. There was a great scurrying about for a satisfactory candidate to the great protected interests. Borah and Johnson were looming on the horizon, but being honest men were regarded as inimical to the special interests. The notorious John King, whose grafting proclivities were again dragged

to light in the recent trial of former Attorney General Daugherty, was high in the councils of the Republican party.

He assembled four or five men in a room. Then and there they agreed to underwrite the campaign of General Wood to the amount of $200,000.

The disclosure of this conspiracy resulted in the retirement of Wood as a presidential candidate.

At the same time the investigating committee of the Senate brought to light the fact that Governor Lowden had paid some $38,000 to certain politicians of the State of Missouri in consideration of the Missouri vote in the oncoming Republican convention was to be delivered to Governor Lowden.

The exposure of that transaction had the effect of retiring Governor Lowden. He is now appearing on the horizon again as the special angel and champion of the farmers. He is about as well-qualified for that position as I would be for leader of the angelic choir.

All men know the story of the nomination of Warren G. Harding. It was accomplished when Harry M. Daugherty agreed with Penrose that Harding would be suitable to the great protected industries.

The convention obeyed the mandate of the masters as obsequiously as a well-trained office boy obeys the command of his employer.

From the seed thus planted only an evil crop could be expected.

The whole story may never be disclosed completely, but there are certain outstanding facts the public will not soon forget.

Fall, Denby, Doheny and Sinclair.

Albert Fall resigned his seat in the Senate to take the vastly inferior position of Secretary of the Interior.

The act at once caused speculation because, indicating as it did, some ulterior purpose as actuating the move.

We all know the story.

The first step in the program was to induce the President to sign an order attempting to transfer the control of the oil lands to the Secretary of the Interior.

Then or previously there had developed a conspiracy which was

at least aided and abetted by a high naval officer. The oil lands were surreptitiously transferred to Doheny and to Sinclair.

A bribe of at least $100,000 was paid to Fall. True, the story has never yet been disclosed because witnesses have fled to Europe, avoided subpoena or have refused to give their testimony; but enough circumstances upon the face of the record convinces any intelligent man that here was one of the most corrupt and infamous bargains ever made—a bargain which transferred from the United States to private corporations the great source of oils which the Taft administration and likewise the Wilson administration had sought to preserve to the people of the United States for our defense in time of war.

Coming close on the heels of these disclosures is the horrible story of the hold-up perpetrated upon a German claimant for moneys which had been impounded during the war. That the hold-up was perpetrated is not subject to dispute. The only question today is whether Daugherty and Miller (who feared to take the stand in their own defense) escaped because of the death of witnesses or the lack of sufficient documentary evidence.

I come now to consider a phase of this discussion which is to me very painful. Personally, I have a feeling of friendship for our President; but I cannot excuse his conduct with reference to the matters just referred to.

It was the business of the President to carefully safeguard public interest. It is entirely possible that he did not know of the rape of the public domain by Fall, Doheny and Denby; but the body of the fraud was dragged into the daylight by the United States Senate. The moment the facts became apparent, it was his duty to have set in motion every resource of the Government in order to apprehend the culprits.

He remained impassive and silent.

He allowed the machinery of justice to remain under the control of Mr. Daugherty, the chief of the culprits.

Even the White House telegram instrument and the secret code of the Government were employed to convey information to those implicated in the scoundrelly transaction. Weeks went by and still Daugherty remained in his place of power, where he could, to a

large extent, block and render nugatory the efforts of the Senate to ascertain the facts.

At last, and for an assigned reason which in itself was utterly insufficient, he yielded to public indignation and gently, ceremoniously and almost apologetically requested Daugherty's resignation.

I declare within my judgment that if the President had acted vigorously and all of the employes of the Government ordinarily used in criminal cases had been put to work, a number of gentlemen now at large would be behind the walls of the penitentiary.

It was the duty of Mr. Coolidge to have acted. He did not act.

The scoundrels went unwhipped of justice, and accordingly corruption grew the more bold—the more intolerant.

The ruthlessness of the Republican organization was especially manifested in 1888.

It was at that time the official letter of the Republican committee, signed by W. W. Dudley, treasurer of the committee, gave this significant advice to the political lieutenants of Indiana:

"Divide the floaters into blocks of five and put a trusted man with the necessary funds in charge of those five, and make him responsible that none get away, and that all vote our ticket."

The writer of such a letter ought to repose the balance of his natural life in a penitentiary.

In the latter part of 1921 Henry Ford exposed the corrupt methods by which Truman H. Newberry had been elected to the United States Senate.

It was found that in order to secure his nomination he had expended $195,000. The contest of his seat raged in the Senate for months.

Finally the Republican organization, taken as a whole, determined to seat him, regardless of the slush fund he had employed.

They thereupon adopted a resolution, the last clause of which read as follows: "The expenditure of such excessive sums in behalf of a candidate either with or without his knowledge and consent, being contrary to sound public policy, harmful to the honor and dignity of the Senate, and dangerous to the perpetuity of a free government, such excessive expenditures are hereby severely condemned and disapproved."

Nevertheless, the other part of the resolution in substance declared:

Whereby we declare that Truman H. Newberry is hereby declared to be a duly elected Senator from the State of Michigan.

It was a monstrous resolution. It was an open confession of villainy. It certified to the country that the Republican machine would seat one of its adherents, even though he had gained his seat by methods "contrary to sound public policy, harmful to the honor and dignity of the Senate and dangerous to the perpetuity of a free government."

Here again we must literally start at the White House.

The Secretary of the Treasury, doubtless with the consent of the President, proceeded to Pennsylvania, publicly declared in favor of Pepper and actively engaged in the business of organizing his campaign.

Together with his brothers and nephews, the Mellon family contributed $75,000, which is admitted. How much more they contributed, I am unable to state.

They engaged at once in the gathering of the largest slush fund ever accumulated to nominate any man for the United States Senate.

The fact has already been disclosed that this campaign, largely controlled and dominated by the Mellon family, raised and expended in the primary campaign alone $1,804,000.

*Once the Praetorian Guard murdered the just Pertinax upon the steps of the Capitol and standing in the welter of his blood sold Rome at auction. Are we approaching such a catastrophe?*

There is but one force that can rescue our country from this quagmire of iniquity—an aroused public opinion. A flame of public indignation can alone bring the Government back to honest standards. That great work must be chiefly intrusted to the newspapers of the land. I do not hesitate to criticize you gentlemen. If you gave more of your pages to the discussion of public plunder and less to the exploitation of "Peaches" and "Bunny Browning" [latest Divorce Scandal of the time], more of your space to acts of this Government than to the baseball score, more to public business and less to private scandal, a healthier public opinion would be created.

The pens of writers are, after all, mightier than swords of warriors. The conscience is sound, but it has been sleeping. It will be aroused when the press of the land exposes iniquity and rallies the people to the cause of righteousness.

A single manufacturer, who frankly admitted his purpose was to prevent taxation of manufacturers, contributed approximately $400,000. That the money was used for corrupt purposes is not open to question.

From thirty-five to fifty thousand men were employed in the city of Pittsburgh alone to work at the election at $10 per day per head. For days and days these men stood in line while they were being paid off in $10 notes. No one but a fool will fail to understand that the work they were to do on election day consisted chiefly in casting votes for Mr. Pepper.

Similar methods were employed in other parts of the State.

At the same time Vare, the opposing candidate, was gathering his sinews of war. The curious thing about his contributions are that men known as notorious grafters at elections were admitted to have given sums ranging from $50,000 to $75,000 and some of them refused to disclose the source from which they obtained their money and others failed to give a satisfactory account.

The political machine in Philadelphia is so closely organized that it is commonly understood that money and power and not the votes of the people control the election.

Against Vare and his cohorts the Mellon forces pronounced *anathema maranaths*. They decided Vare unfit for the office of United States Senator, that his methods were villainous and corrupt, that he was altogether bad. Yet the day after Vare's victory, these same forces rallied to his support. Mr. Mellon became the chairman of the committee to conduct Vare's campaign and to consummate at the polls the election of this man whom they had pronounced so utterly unworthy of the high office of United States Senator during the primary campaign.

The election was held and William B. Wilson swept to the corporate limits of Philadelphia with a majority of 50,000. The election carried to the people of Pennsylvania, where they were allowed to vote and where the votes were counted, they rallied to

his support. Decent Republicans everywhere revolted at the atrocities committed to which I have referred.

But the Republican machine at Philadelphia did its work. It rolled up an apparent vote so great that Vare apparently was elected by a majority of approximately 200,000 votes.

This spectacle has horrified this country. It has turned the stomach of decency and has seared the conscience of men as with a red-hot iron.

Yet we find that one of the chief actors in this iniquity was W. L. Mellon, who not only sits serenely in the Capitol of the United States, but almost from the White House steps declares to the country that the moneys contributed and used in Pennsylvania were as honestly contributed and as fairly expended as contributions to a church of Jesus Christ.

And so I say that the red line of corruption runs through the Capitol of the Nation and crosses the White House grounds.

## II. AMERICA ONLY

### ALBERT J. BEVERIDGE

*Speaker:* (1862–1927) American orator, lawyer, and statesman; United States Senator, 1899–1911; author of numerous political and historical works.

*Occasion:* Beginning of the last lap in the presidential campaign between Charles Evans Hughes and Woodrow Wilson. It was marked in Chicago by a huge Republican rally held in the Auditorium, October 5, 1916.

*Audience:* Popular Republican audience; press representatives; it was known by the speaker that readers would include the politically interested over the country at large.

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In the last stages of a political campaign, parties call out their heaviest artillery. In this instance, with elections only a month ahead, the party called upon its most famous orator for the responsible task of beginning the final attack. His obvious purpose was to elect his party candidate. He undertakes it by centering his entire fire upon the administrative record of the opposing candidate. You will notice that every single major problem which had confronted the administration was attacked at its weakest spot.

We are concerned not so much with the past as with the present and the future; we are interested, not so much in criticism as in construction. The task at hand and the word before us are big enough to engage our best thought and all our thought.

We must build for to-morrow and our plan must be as wide as the horizon now opening before us. A new world is being born. Just as the Napoleonic wars destroyed an outworn political dispensation, so the present conflict is ending an old economic system. In this new day, and amidst these changed conditions, there must be a new America. Let us be thankful and glad that we are privileged to lay its foundations.

This work means, first of all, a broader, deeper, stronger nationalism. The philosophy of localism is dead. The practice of it must no longer interfere with the unity of the Republic. National law and national authority must deal with all things that help or hurt the entire people.

Our railways in their management and service, are national. They are the highways of the Republic as a whole. The well-being of the entire American people depends upon the service they render, and the solvency of the railroads depends upon the common prosperity of the Nation. Yet American railways, unlike those of every other country, are under control of forty-eight local sovereignties, as well as that of the general government. Hundreds of conflicting state regulations and an army of state officials complicate their operation.

The plain remedy is to place the railways of the Nation under the exclusive control of the national government.

That is, the national government should have the exclusive supervision and regulation of the railroads, and not the sovereign states.

They are vital to national defense. It is useless to train men unless they can be transported quickly and in immense numbers. In the confusion caused by our multiple and discordant control of the railways, we could not promptly transport so small an army as half a million men. Under national control American railways could be coördinated and systematized. This is only a logical step in the practical development of that nationalism required by the needs of the people.

Another constructive advance is the nationalization of business.

Great industrial units are indispensable to modern trade. Yet our laws are so hostile to business organization that American business men can never be sure that they are not legal criminals. We are the only nation in the world that treats its business in such fashion. In economic legislation America is to-day the most backward of modern nations.

Not only does our treatment of the business problem shackle American business, but it has not prevented and cannot prevent a single business abuse which injures the people. For instance, it does not prevent over-capitalization; financial adventurers can to-day form a corporation under state laws and float it on an ocean of watered stock. It does not interfere with manipulation of prices; they are juggled with impunity.

Long ago we ought to have replaced our laws meant to break up business with laws meant to build up business. Now we must do it without a moment's delay. The war has made constructive co-operation the watchword of the new industrial era into which the world is entering. Destructive individual competition has been buried in the ruins of an economic structure which it could not support.

We must make our laws fit conditions of the day instead of trying to make the conditions of to-day fit laws of yesterday. Our great business concerns must be nationalized and standardized by law. National incorporation and control will solve that problem. National charters will safeguard the people on the one hand, and make industrial organization normal and steady on the other hand. A national commission made up of the ablest and most experienced of American business men will counsel and guide American enterprise. The members of it should be so eminent that this Business Commission would rival in its province the Supreme Court in its province.

These constructive reforms are stages in the making of that greater America which will arise in the time now opening—a period that will be known to history as the age of the builders.

The Progressive and Republican platforms of 1916 agree upon all these plans so vital to our national welfare. These platforms declare the will of the two great bodies of citizens which together constitute the army of constructive liberalism in America. In this

campaign that army is fighting as a unit to free the American people from the rusty chains of an age that is past and give them their rightful place among the nations. The party in power failed to do this work because it still is ruled by the spirit of localism, still obeys the voice of the demagogue, still heeds the counsels of the charlatan. The Clayton law adds to the confusion with which the Sherman law already had maddened business; and the Trade Commission admits that it cannot tell the meaning of either. It is so feeble that it menaces by the distrust which its inefficiency creates the establishment hereafter of a real commission to do the real work for which American business has so long been pleading.

The administration boasts of "constructive laws." Where did they come from? Who originated the Currency Law? A Republican. Who was the author of the National Child Labor Law? A Progressive and Republican. Who proposed and framed the Tariff Commission Law? The same man who originated National Child Labor legislation. Who advanced the idea of a National Trade Commission? An eminent American business man—a Progressive and Republican.

And during all the long years of fighting for these reforms Mr. Wilson and his party frowned upon and opposed them. Only when the fight was finished and public opinion so firmly behind these progressive measures that the forces of reaction and localism dared oppose them no longer, did Mr. Wilson change his mind and force a reluctant and grumbling party to half-heartedly support them. And this was done at the twelfth hour under the compulsion of terror of the impending election. How will laws, so originated and so enacted, be executed by a power thus belated and unfriendly?

America must heed the world changes now taking place—fundamental changes, permanent changes. Even before the war the industries of France and Germany were so highly organized that, in comparison, American business was chaotic. But in the smithy of the European conflict is being forged an industrial coöperation infinitely more effective than the old. And after the war this improved industrial coöperation will be wielded by a mutual spirit born of that titanic combat. That man is blind who does not see what must and will happen when the tremendous intellectual, moral,

and physical energies now waging that struggle and being disciplined by it, are suddenly turned from trench to factory, from smoking gun to shop and mill, from all heavy tasks of war to the lighter work of peace.

The agencies of production and distribution will work with a unity and smoothness that will soon make up for the human loss that battlefields have wrought and, at no distant day, leave far behind those nations that cling to ancient industrial methods.

In Great Britain this economic revolution already has occurred. Before the war that country was far behind in her industrial development. She was living upon her mighty past, smugly content with the ideas of great men that in a former age and amidst conditions that have vanished, had made her the emporium of the world. But already Great Britain has achieved industrial coördination. Peace will find her with a new economic system, working efficiently to accomplish her traditional purpose. Moreover, in comparison with Germany and France, Great Britain's human resources have already been touched. But her people, women as well as men, have been disciplined to strive together for a common end.

These are the forces that we must meet not only in foreign trade, but in our own markets. France and Great Britain have borrowed immense sums from us. They can pay that debt with American securities still held by them. But they will not do this if they can help it. They will pay what they owe us and also try to replace the losses of the war by filling our markets with their products and by crowding us out of foreign markets. The other warring nations will do the same thing.

Thus it is that with our lack of business organization which, even with the aid of up-to-date laws, it will take us years to overcome, the protection of American industry becomes an emergency. In the period so close upon us protection becomes more than a policy of national prosperity; it becomes also a policy of national safety.

A new tariff must be made without delay, high enough to meet the revolutionized industrial conditions of Europe, elastic enough to meet the swift and well planned trade movements of rival nations. Even free traders cannot fail to see the necessity for this, at least until we can ourselves work out the organization of Amer-

ican industries and business on modern lines. If we never before had had a protective tariff we should be forced to create one now.

But we must see to it that the law is drawn by informed and honest men. It must not cover fraud and theft in the name of protection. While economic conditions produced by war demand a higher tariff than would have been wise or just in former times, this new tariff must be as clean as it is scientific. There is no place in Congress for the lobbyist, the log-roller, and the bargainer in schedules—no place for mere partizans without knowledge or skill.

The administration points to our prosperity. Where is it? In Massachusetts? Yes. In California? No. In Connecticut? Yes. In Oregon? No. In Pennsylvania? Yes. In Washington? No. In the Mississippi Valley? Yes. In the western mountain states? No. Certain sections have industrial inflation, but other parts of the country have depression. Genuine prosperity must be nation-wide.

But our so-called prosperity to-day is sectional. It appears only in spots. *It is a spotted prosperity—spotted and stained.* Wherever the war has directly reached the sources of production, business is good; elsewhere business is bad. We must have a tariff that will protect all parts of the country alike in peace as well as in war, and make our prosperity genuine, steady, and national.

The capture of foreign trade is only less necessary than the preservation of our home markets and it will be harder to accomplish. Yet it must be done. We were making a surplus before the war; that surplus will be greater after the war. Unless we sell it abroad, we will have congestion at home. This means lower wages, idle men, tighter money—all the elements of a panic. *An unsold surplus is the blod clot in the heart of business.*

For a long time the nations at war cannot buy from us, except in special lines, more than a small part of what they were buying three years ago. We must win and keep our just share of those markets which our great rivals once monopolized. Our immediate field of trade expansion is South America, the Orient, Africa, the undeveloped and backward countries of the world. We have been mad that we did not turn every energy to securing those markets when war called our rivals from them. Instead of building up this normal trade which would have lasted and increased, we turned

our energies to making munitions, an abnormal trade which will suddenly end, leaving hundreds of thousands of men without work, millions of capital unemployed, and disrupting still more our disorganized business. But the folly is committed and we must face our hard task not with mutual reproaches, but with stout hearts, united wills, and constructive minds.

Experience of the great commercial nations has shown that trade with undeveloped countries means the investment of capital to bring out their resources, banking institutions to handle credit and exchange, lines of merchant ships to carry goods. How can we expect our trade in South America to grow in normal times when goods must be carried on foreign ships to foreign ports and retransported on foreign ships when payment must be made through foreign banks instead of American banks; when our rivals have fine systems for extending the credit and we have none; when the governments of our competitors encourage and protect the foreign enterprise of their business men and our government not only discourages similar efforts of American business men in the same field, but insults them for their pains?

Yet just that is what the administration did in the case of the first systematic attempt of American business men, with government approval, to plant the seeds of American trade and enterprise in the Orient. During the Presidency of William H. Taft, American capital arranged for loans to build great Chinese railways that would open immense resources, create new trade with millions of people and carry western civilization to those still living in the atmosphere and surroundings of a forgotten age.

The government sanctioned the venture; it was the wisest act of that administration. Yet one of the first things Mr. Wilson did as President was to halt this American advance and declare to the world that the American government would not protect or even recognize American investments abroad. And this keynote to the foreign commercial policy of the Administration was struck suddenly without notice to the American investors, without warning to American business, and even without consultation of the Cabinet.

Capital is as timid as it is useful, and, no matter what the possible profits on its investments, or how great the benefit to the

Nation from which it comes, if it cannot have security it will not plant and raise the harvest which may be destroyed or which others may gather. Great Britain has about five hundred and fifty million dollars invested in fifty-three international banks with hundreds of branches while the United States has but one international bank with only six million five hundred thousand dollars of investment. German's foreign banking facilities before the war were more nearly perfect though not so numerous as those of Great Britain. France had and now has an admirable system of financing and encouraging trade with her immense possessions. Yet we, with a larger domestic banking capital than Germany, France and Great Britain combined, must depend on the financial agencies of our rivals even for exchange.

The first step we must take to build up American foreign trade is to get rid of an administration which has declared that it is opposed to American investments abroad and which has refused to protect American property anywhere on earth. American enterprise will not venture into other lands while it knows that it will suffer the fate that has befallen it in China, in Mexico, and even on the free and open seas. What American railroads will be built in any quarters of the earth, what American banks established, what American commercial houses founded, with the administration's mismanagement of Mexican affairs, written in letters of flame and blood, before the eyes of mankind?

What hope is there for our foreign trade under an administration which permits American lives to be sacrificed, American mail to be rifled, American ships and cargoes to be seized even when plying between American ports, American firms to be blacklisted and kept off the oceans, the export business of American houses destroyed for the benefit of foreign export houses, American trade forbidden except under written permission of a rival commercial power? When our government was not ten years old it retaliated with force rather than submit to a fraction of the injuries to American trade that have been wrought without rebuke from us within the past few months.

The desertion of American rights on the ocean is but a weak repetition of our abandonment of them in Mexico. The strength of

the administration in the Mexican question is that its malpractice of statesmanship has been so great that it cannot be described without seeming to exaggerate.

The administration found a de facto government stronger than any since the régime of Diaz. That government had been recognized by Great Britain, France, Germany, Russia, Japan, and other powers, upon the advice of their seasoned diplomatic representatives who had long been on the ground and knew the facts. Yet the administration did not content itself with refusing to recognize this de facto government, but ordered it to dissolve without a successor to take its place. The administration did this upon the pretexts that the de facto Mexican government had not gained power according to the Constitution and laws of that country and that the de facto President was stained with crime. Yet since then the administration has nonchalantly recognized a government in Peru set up in a single night by force and murder.

On purely moral grounds, these pretexts would make us the arbiter in every contested change of government on earth and involve us as the deciding party in every revolution that occurs in any land. Unless it be admitted that we have a peculiar interest and a special duty in Mexico, the theory on which the President says he acted would have required us to interfere in the bloody changes of power that have recently taken place and are still taking place in China. If the pretext that Huerta held the Presidency through intrigue and bloodshed is a sound reason for the administration's action, then the American government ought in like manner to have demanded that the King of Servia quit the throne to which he had been lifted by murder and conspiracy—unless it be admitted that we have a peculiar interest and special duty in Mexico.

If the administration answers that China and Servia are far away while Mexico adjoins our borders and that, therefore, we have an interest in and owe a duty to the neighbor country which we do not owe to distant lands, it condemns its own conduct. It abandons the moral ground for its action because morality does not depend upon distance. It admits that we have a peculiar interest and a special duty in Mexico, because it is adjacent to us.

What, then, is that peculiar interest and special duty? Was it to depose the only government in Mexico because our President did not like the Mexican President? Was it to choose now this factional leader and now that bandit chief to be king for a day? And after thus interfering and intriguing in Mexico until all government disappeared, and latent anarchy became active, did our peculiar interest and special duty require us to add to its fury? Was it our interest and duty to abandon American men and women to outrage and murder, American property to pillage and destruction, American rights to insult and mockery?

Did not our ordinary interest and common duty in Mexico require that American lives should be safeguarded, American property protected, American rights upheld? Was not a government necessary in Mexico strong enough to do these things? And when such a government no longer existed did not our sacred duty and supreme interest demand that we provide law, order, and competent authority?

But the administration looks upon Americans in Mexico as shifty adventurers, their investments as dishonorable hazards, their rights as fraudulent claims. Yet every American in Mexico went there on the invitation of that government and with the sanction of ours. In the last thirty years almost a billion dollars of American capital has been invested in Mexico. It was this money that developed Mexican resources. It was this money that built Mexican railways, opened Mexican mines, operated Mexican ranches, and gave employment to Mexican labor at wages many times higher than it ever had received before.

Along with this capital went thousands of Americans. They took their families with them. They were not Wall Street exploiters or gamblers of fortune. They were miners, ranchmen, engineers, railroad men, merchants, traders, and teachers. They were of the same stock as our pioneers who carved from what was once a part of Mexico the noble commonwealths of Texas and Utah, Nevada and New Mexico, Arizona and California.

American investments were made and American citizens established themselves in Mexico under a guaranty of safety, and upon the faith that over them was the shield of the United States. They

had reason for that faith, not only because to protect the lives and property of their citizens in other lands is the settled and accepted policy of civilized nations, but also because the American government in solemn treaties with Mexico exacted the condition that American life and property in that country should be secure. When there was no longer any government in Mexico to fulfil those obligations it became our duty to restore law and order not only to safeguard American rights, but in the high interest of civilization itself.

There are hundreds of millions of European capital in Mexico and many British and German subjects. If Great Britain, France and Germany had not been at war the whole world knows that they would have said to us: "Take charge of Mexican affairs and restore law and order. If you do not do this, we will do it ourselves." And the United States would have had to do the one or permit the other. Which alternative would we have chosen? Which course would it have been our duty and interest to have followed? And is not both our duty and our interest all the greater because war among themselves prevents those nations from setting up orderly government in that anarchy-ridden land?

The administration defends itself by asserting that the right to revolt is the very heart of liberty and that the convulsions in Mexico are the striving of people toward better things. We are told of our own struggle for freedom and of the chaos that followed our independence. We are reminded of the period of reconstruction after our Civil War. But at both these times we were a people—an homogeneous people whose ancestors had struggled through a thousand years toward orderly liberty.

Are the inhabitants of Mexico a people? They are an aggregation of tribes without common speech or customs and with no tradition behind them except that of violence and force. Of the fifteen millions of human beings in Mexico, less than two million are of Caucasian blood, two million others are half-breeds, and nearly twelve million are Indians divided into nearly fifty tribes speaking as many different dialects.

Is this conglomeration of discordant and unrelated elements a people? Can the murderous writhings of such hostile groups be

called a revolution? A real struggle of a real people for liberty always has developed a real leader who became the voice of the inarticulate masses and the stern organizer of disciplined freedom. England had her Cromwell, America her Washington. Where is the Mexican counterpart of these men? Is it Villa, the half-breed criminal who but yesterday was the favorite of the administration? Is it Carranza, his successor in the affections of our government? Is it some other hero yet to be born of "chaos and dark night"?

And who are the real revolutionists and against whom do they revolt? Madero revolted against Diaz, Huerta against Madero, Carranza against Huerta, Villa against Carranza, and Zapata is a free knight of liberty against any government anywhere by anybody.

If English freedom required a Cromwell, if American independence needed a Washington, what power is strong and brave and wise enough to stop factional vendettas in Mexico, give peace to her savage and undeveloped people, and set them on the highway of free and orderly industry, the only road that leads to liberty and civilization?

No one man is equal to that task. No individual or group in Mexico can perform it unless another Diaz should spring from that bloodsoaked soil. If such an iron dictator should again appear could he give liberty and permanent peace in Mexico? Recent events answer that question. The regeneration of Mexico requires the steady power of a whole nation schooled in the great truth that order is the first condition of permanent liberty. It needs the force and precision of the government of a people wise, calm, and unafraid of being the chosen instrument of destiny. That the inevitable in Mexico has become the immediate is the result of the administration's mishandling of a plain situation. Now we must free Mexico from the bondage of anarchy and from that duty we must not flinch.

There were only two sane courses to take in Mexico—to go in and restore order to the anarchy-maddened creatures of that country or to keep out and leave them to their mutual destruction. But the administration did both and neither. If to safeguard American lives is a duty, then the administration fled from that duty. If to protect American property is an obligation, the administration repudiated it. It allowed powder and guns and all the implements of warfare

to pour across the borders, then closed the embargo on arms, then raised it again, and closed and raised it once more.

Every American citizen and every American soldier that has been shot to death was killed with an American bullet fired from an American rifle. Murder, arson, lust, rapine, desolation, are the fruits that have ripened under the policy of watchful waiting. We have not respected Mexican rights and yet we have not safeguarded American rights. And the administration that permitted this condition to develop and that is largely responsible for it, tells us that it will not lift a finger to change it. Yet we hear unctuous platitudes about guiding mankind aright and laying upon unruly nations the restraining hand of a superior brotherhood. If we turn our backs upon the practical duty at our doors, how can we realize impracticable idealism in distant lands?

No wonder that an administration with this conception of America's work in the world and place among the nations proposes also to surrender the wards of the nation in the Philippines to the iron rule of Japan. Who now are better off, the Filipinos or the Mexicans? Never in the history of the world has any government done so much in so short a time for backward people as we have done for the Filipinos. We have distributed the land among the natives, who to-day, for the first time, own the soil they till. We have policed the country so well that where violence, robbery and murder once reigned, life and property are as secure as they are anywhere in the United States itself. We have built roads and schoolhouses and taught the arts of peace. We have transformed squalor into prosperity, want into plenty, misery into happiness.

Our trade with the Philippines has increased from a few thousand dollars to almost twenty-five million dollars annually. These islands are the richest on earth, and will soon develop a commerce with us of at least one hundred million dollars a year. They are the American commercial outpost in the Pacific, our center of trade at the door of the East. What would we think of Holland if she abandoned Java? Or of Great Britain if she surrendered Ceylon? Or of France if she fled from Morocco and Algiers? An administration that would strike the flag in the Philippines ought not to be kept in power.

So many and so great have been the humiliations which the administration's weakness, timidity, and lack of any consistent policy has brought upon us from every quarter of the globe that another grave indignity to the United States was hardly noticed and is already forgotten. Yet it involves the very sovereignty of the nation. It is incredible that we should have allowed a foreign power to dictate our legislation. Yet exactly that was done and in a manner that involved the very essence of nationhood—the absolute and hitherto unquestioned right to choose what aliens shall be admitted to the country and what aliens shall be excluded.

When at the last moment and almost upon the final passage of the immigration bill, the administration forced Congress, against its will and judgment and in opposition to the wishes of the American people, to change the bill as Japan demanded, it blazed the path which it trod again in those fatal days at the close of the last session. There is in principle no difference between the administration's frightened truckling to Japan on the one hand and its cowering submission to the threat of a nation-wide strike on the other hand. In principle, one was the surrender of our sovereignty to a foreign power; the other an abdication of the government to a domestic faction.

The excuse for permitting both humiliations is that each was the easiest and quickest way of getting out of the trouble. Anybody can always avoid each difficulty as it arises by yielding to the trouble-maker; but every trouble averted in this way breeds many others. If either of these cases had involved nothing more than policy, they might have been compromised with honor; but both were rooted in principle and principle cannot be compromised without dishonor and, in the final outcome, without certain disaster.

In the Japanese dispute an upstanding government would have said: "The question of what aliens shall come among us is the exclusive business of the United States alone. The representatives of the American people will weigh all arguments, and, unawed, unafraid, and uncoerced, decide what is best for the United States."

In the conflict between the railway managers and the labor chiefs a real government would have declared that the nation is supreme

over both; that neither side has the right to injure the whole people from which both draw their very life; that both must agree to settle their differences by just and honorable arbitration or else postpone their threatened battle until Congress could learn the facts and legislate upon those facts with wisdom and justice to both sides and in the interest of the whole nation whose service both sides perform.

And if these two combatants, hot with mutual hatred and unmindful of the nation's welfare, refused to follow that counsel of patriotic wisdom, then a real government would have used all the power of a real nation to keep uncut the arteries through which the life-blood of the nation flows. And even if this could not be done, it would have been better to suffer temporary disaster than for the head of the nation to have forced Congress, in panic and in ignorance, to vote into law the demand of a small fraction of one per cent of the whole people, who alone in their collective capacity Congress exclusively represents.

The deadly hurt which the administration's juggling with expediency has wrought to the cause of organized labor is this—it has set that cause against the principle upon which the national existence depends; I have gone further than most in championship of the laborer's cause in all its phases; but between the nation as such and any power within the nation, I am for the nation. If as free citizens of a free Republic we could discuss the merits of the railroad controversy, calmly and impartially, I should, from what little is known, take the side of labor, for all my sympathies are with it.

But that is not the case. For the mighty issue before us is that of abdication of the national government itself, and until that vital question is settled and settled forever, no patriot can hesitate to take his stand, no matter what the cost. In a free Republic of free and equal men, better maintain law and order even though it mean the delay for a time of full justice to a few, than to blast the foundations of the government through which alone justice to all can be obtained. What must foreign governments think of this? The sacrifice of self-respect at home destroys respect abroad.

What answer does the partizan of the administration make to this long record of national humiliation abroad and national abasement at home?

Nothing but this campaign catchword: "The administration has kept us out of war."

*With whom?*

If we had been in danger of war during the last three years and the administration had with honor saved us from that tragedy, that great fact would have gone far to atone for the general malpractice of statesmanship from which the nation has suffered. This is not a time for partizan rancor. No American should allow personal animosity against the President of the United States to overrule his judgment on greater questions of the nation's well-being.

We ought to consider all the administration's acts with free, open, and unprejudiced minds and with a sincere desire to decide in the administration's favor if the facts will permit it. We ought to be happy that we are able to admit that this administration and that any and every administration has done good things for the country, and that this and any other administration, past and to come, always has and always will intend to do the best it can for the welfare of the Republic.

In this spirit, then, let us see whether the claim that the administration "has kept us out of war" is true or whether it is one of those false and hollow campaign slogans which, too often, have taken the place of truth and reason in the heat and fury of the American campaigns.

Have we been kept out of war with Mexico? What is war? Merely a declaration? Our naval war with France was waged for two years without a declaration. Japan struck Russia without a declaration. War means offensive and deadly acts. We invaded Mexico and withdrew; but fighting took place and American marines were killed. Our territory was invaded by Mexicans who were driven out; but again Americans were killed. We invaded that country once more and to-day our military forces, with siege guns, are intrenched in the heart of Northern Mexico. They have fought with uniformed Mexicans and soldiers of both sides have fallen. Almost the whole of our effective military forces are kept on the border and lines

of communication established with Pershing's men. Our War Department has held officially that a deserter from our army must be punished as in time of war. The government's censorship of all news from Mexico is more rigid than that of the European belligerents. If all this is not war, what is it? If such a state of things existed between ourselves and any other nation, what would we call it? What would the world call it?

Has the President kept us out of the European war? Did we want to go to war with any nation engaged in that conflict? No. Aside from a group of passion-blinded and prejudice inflamed hotheads, so few that in number they are negligible, the American people have been and are solidly opposed to engaging in the war for or against any of the European belligerents.

Did any of the warring nations want to fight us? No. Every one of them already has more than enough of war on its hands. No President could have possibly gotten us into war except by an act of madness unthinkable in anyone who could be chosen as the Chief Magistrate of the United States.

We could have prevented every outrage that we have tamely suffered, stopped every depredation on our commerce, without getting into the war. We could even have retaliated for the abuses which have been and now are increasingly practiced upon us without the least danger of being drawn into the conflict.

Did Grover Cleveland get us into war with Great Britain when he defied that power with an ultimatum which meant hostilities if it was not heeded? No. And yet Great Britain was not then already engaged in war that taxed her strength to the uttermost as she now is.

Who kept Sweden out of the war? Yet Sweden is so near to the flames of the battle that they almost scorch her. And what has been done to us has been attempted with Sweden. But although not so large as the average American state and not so populous as some, Sweden has protected her interests and her honor by the firm word of a government that meant what it said, backed by a prepared people, peaceful, but spirited, and not too proud to fight. When Great Britain seized Swedish mail, Sweden seized British mail; after that retaliation Swedish mail has not been violated. Yet Sweden is at peace.

Who kept Holland out of the war? Yet you may hear in Amsterdam the roar of the guns.

Who kept Switzerland out of the war? Yet its flames mount to the heavens upon her very borders.

Who kept Spain out of the war?

Who kept Norway out of the war?

And why did all these countries keep out of the war?

Because none of them wanted to get into the war and because while each side wanted to fight for it, neither side wanted them to fight against it.

And how did they keep out of the war? By practicing an honest neutrality and being prepared to maintain it.

And where do these little nations who kept out of the war with honor now stand in the esteem of the belligerents in comparison with their opinion of us? So high that while the President of Switzerland or King of Spain might be called to preside over the peace conference it is certain that the President of the United States will have no voice or place in that historic and fateful council.

Why is it that the whole world respects, trusts, and admires other nations which, with more temptations than we had to go into the war, nevertheless kept out of the war while we alone are held in universal distrust, derision and contempt?

And what of South American nations? They have kept out of war. Yet nobody is running for President of any South American Republic on the plea that he kept the country out of war.

The campaign slogan that the "administration has kept us out of war" is no more argument in its favor than to say that the administration ought to be kept in power because the President did not burn down the White House.

But will not the administration's foreign program get us into future wars if that program is adopted and if future wars occur? The President has formally announced that policy to be for the United States to join an international alliance in order to maintain by force these four purposes:

First, to enable every people "to choose the sovereignty under which they shall live."

Second, to defend "the sovereignty and territorial sovereignty of the small states of the world."

Third, to free the world from "aggression and the disregard of the rights of peoples and of nations."

Fourth, "to prevent any war begun contrary to either treaty, covenants, or without warning."

Is that program one of peace? Is it not, rather, an incubator of wars? Can such another nest of serpent's eggs be found in the records of the world's tangled statesmanship?

Had these proposals of the administration been carried out the United States would have gone to war with France to prevent her seizure of Dahomey, Morocco and Algiers; with Great Britain when she occupied Egypt; with Japan when she swallowed Korea; with Germany when she took a part of the Chinese Empire; with Great Britain again when she overthrew the Boer Republic and Orange Free State and compelled their desperately resisting people to accept the rule of an alien power; with Russia and Great Britain at the present moment on account of their partition of Persia.

It cannot be said that the violated people of these countries were not nations for we and even the absorbing Powers had treaties with every one of them. Some of them were nations before Columbus discovered America.

Where would the President's avowed foreign policy of joining an alliance to resist aggression and the violation of treaties lead us? In every war, each side always claims that the other side is the aggressor. Which nation was the aggressor in the Russo-Japanese war? Which the aggressor in the Chino-Japanese war? Which the aggressor in the many South American wars? And suppose, as always happens, that the nation involved felt its dearest rights and interests at stake and would not accept the opinion of Mr. Wilson's international alliance? Ought the United States go to war to force that nation to yield?

Yet Mr. Wilson calls such an international engagement "a disentangling alliance." What an example of his gift of confusing statement. A partnership which would draw us into a jungle of foreign troubles from which we are now free, is termed "a disentangling alliance."

Are not these the certain consequences of the departure from the one and only foreign policy which the United States has steadily pursued since it was announced by George Washington? He was President during a period exactly like the present when the same passions flamed, that blind us now, the same arguments were advanced in the same terms that we hear to-day, and some of the same proposals made that are urged at the present time. After five years of counsel with the ablest statesman of that wonderful era of wonderful men, Washington, the greatest of them all, declared as the sum of their combined wisdom that this Republic ought always to be if with honor it could be, the friend of every nation, but never under any circumstances the ally of any nation. That wisest and most constructive mind of his time, the great Chief Justice Marshall, avowed time and again that this nation ought not to make an alliance "with any nation on earth," even to avoid war and to insure the safety of the country.

"America the friend of all nations, the ally of none"—that policy and that alone was the only one upon which all the founders and builders of the Republic agreed. From the time of Washington and Jefferson, of Adams and Madison, of Hamilton and Marshall, until the time of Woodrow Wilson, that has been the single policy on which all American statesmen and all American political parties have been in absolute accord.

And this is the policy which Mr. Wilson says that he means to destroy. We had a hint of this intention when he asked Congress to reverse itself, disregard his own words and the platform of his own and other parties and disavow the policy of the Taft administration in the matter of surrendering the exclusive American control of the Panama Canal. In his Canal speech to Congress the President uttered this mysterious sentence:

"I shall not know how to deal with other matters of even greater delicacy and nearer consequences if you do not grant it to me in ungrudging measure."

What did the President mean by that? He was speaking of our foreign relations when he uttered those words. He said it after incorrectly stating foreign opinion that we should abandon the American interpretation of a treaty concerning a matter which he him-

self a little while before had declared to be wise and just. In that formal address to Congress he bravely took what he declared to be the foreign contention and frankly opposed the American position which he himself had supported when a candidate.

Just what, then, did he mean by that cryptic sentence? He never has explained it. Did he then have in mind what he recently has avowed, an intention to make foreign alliances? Has this been Mr. Wilson's settled purpose, hidden until now, and even now only partially revealed?

With what nation or nations would he make the United States an ally? Is it not fair to ask and demand an answer to that question which involves not only a departure from the only traditional foreign policy the United States ever had, but also the perpetuity of the Republic as a separate, distinct, and independent people?

Foreign affairs are in the hands of the man we choose as our President. The temperament, character, and quality of his mind are of vital concern to the nation. His words and deeds have revealed to the world the characteristics of Mr. Wilson. Fair-minded and unprejudiced men concede his good intentions. It is impossible to think that he does not mean well. But does all this modify that mingled instability and obstinacy which events have shown to be ingrained in his nature? Is he not a composite of prejudice and timidity, of rancor and idealism, of intellectuality and indecision, of high purposes and unpractical methods?

Is not the key to the mystery of Woodrow Wilson his unwillingness to encounter trouble in the hope that something will turn up that will enable him to avoid it? And does not his strange genius for deceptive phrase make these elements of the man all the more dangerous to the nation? A keen Englishman thus described a weathervane British statesman with a Wilsonian faculty for misleading language: "*He is a clock which when it strikes four it means half-past seven and then I know it may be either a quarter before ten or twenty minutes past two.*"

At this troubled time and in the constructive period that will follow, our interest, our honor, our safety, call for a President who is steady and knows his own mind and the mind of the country. It is vital to our welfare that our President should be clear in

thought, plain in speech, sound in judgment, firm in decision and so trustworthy that he inspires personal confidence even in those who do not agree with his policies. It is because I know that he fulfils every one of these requirements that I am doing what I can and all I can to help elect to the Presidency, Charles Evans Hughes.

Steadiness, courage, spiritual kinship with the people, an instinctive understanding of the soul of the country and the gift of interpreting the large and permanent aims of greater America, and above all that vision without which "the people perish." These are the high essentials which should be possessed by the President of the American Nation.

The building of the nation still goes on. Our greatest task is yet before us. That task is the fusing of different racial elements into a compact, harmonious and distinctive people with a single patriotic devotion, the devotion to America; a single will, the will to make America strong, prosperous, and beneficent; a single hope, the hope that America shall achieve her rightful place as a leader of the progress of the world.

Just as the union of the states gave the form of a nation, so the union of the races must give the substance of nationhood. To this end our common watchword for a long time to come must be, not America first, but AMERICA ONLY.

In foreign relations that watchword must mean that, without bluster or truckling, Americans, calm, steady, and unafraid, stand ready as a single people to maintain American rights, peaceably if we may, forcibly if we must.

Among ourselves America Only means, not that we shall stifle that natural affection for other lands from which our ancestors came, but that we shall realize that America and America Only is our hearthstone and roof tree; that here and here only are our interests, here and here only is our duty, here and here only our hearts abide.

America Only means that whatever the land of our origin, or the time of our coming to these shores, we shall so think and act and live that our children and children's children shall call America the land of their fathers.

Fate is either weaving out of our diverse citizenship a great new

people in America or else we are doomed to racial dissensions that will disintegrate us in the end. God grant the first and God avert the last. And if, in our land, a distinctive race is being formed to be known to the world and to history as "the Americans," the only loom on which that fabric can be woven is tolerance.

True Americanism means in equal measure freedom of opinion, respect for the opinion of others, and submission in conduct to the opinion of the majority while it lasts.

True Americanism requires that each man, while firmly holding to his own views, shall concede that others are equally sincere in their views.

True Americanism is as broad and kind as it is firm and brave. There is no bigotry in its creed. It is a civic religion of patriotc brotherhood, too noble and generous to exclude any group of loyal Amercans from its communion. True Americanism is the expression of that brightest word in the vocabulary of human freedom—liberalism.

When true Americanism shall have finished its creative work and a new and homogeneous people shall appear among mankind, it will form a nation related to every other nation of the Occident. Thus it and it alone will be fitted to lead all the peoples of our blood to that union which must come if Western civilization is to advance or even to survive.

True Americanism trusts the common people. It believes that their heart is sound, their conscience clean, their instinct true; and that the only passion of their lives is love of America and devotion to the flag. They have proved these truths by patient toil in peace and whole hearted sacrifice in war. Abhorring conflict, the common people of America never yet have flinched from battle in the cause of liberty or in the defense of American rights.

True Americanism knows that at the fireside of the plain people dwell the strength and hope of the Republic and the promise of the grander America that shall be. On that rock we build our house, and though "the floods come and the winds blow and beat upon that house it shall not fall, for it is founded" not on the shifting sands of class, but upon the everlasting rock of all the people's loyalty and affection for America and for America only.

# III. JUDICIAL SPEECHES

## I. IN DEFENSE OF THE RIGHT OF TRIAL BY JURY (EXPARTE MILLIGAN)

### JEREMIAH S. BLACK

*Speaker:* (1810–1883.) Member of the counsel for the defense. Formerly, Chief Justice of the Supreme Court of Pennsylvania, 1851–1857; Attorney General of the United States, 1857–1860; Secretary of State, 1860–1861.

*Occasion:* In October, 1864, during the Civil War, Lambdin P. Milligan, W. A. Bowles, and Stephen Horsey were arrested and tried before a military court martial. The specific charges were that they were members and supporters of a secret order known as "Order of American Knights," or "Sons of Liberty," having for its purpose the seizure of ammunition, liberation of Confederate prisoners, and destruction of the government in general. All three were convicted and sentenced to be hanged, but Milligan filed petition with the Circuit Court of the United States for a discharge on the ground that his detention was illegal. The Circuit Court, being divided in opinion, therefore certified three legal questions to the Supreme Court of the United States for decision; the central one being, "*Had the military commission jurisdiction legally to try and sentence the petitioner?*"

The Supreme Court hearing—December, 1866—attracted as distinguished counsels as ever appeared before that body at one time. For the defense, in addition to Judge Black, appeared David Dudley Field, J. E. McDonald, and James A. Garfield; for the Government, Attorney General James Speed, Henry Stanbery, and Benjamin F. Butler.

*Audience:* Justices of the Supreme Court of the United States, with Mr. Chief Justice Salmon P. Chase presiding.

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Attention is here called to the care with which the speaker separated the issue of guilt or innocence of the client, from the issue of *whether a military commission had the right to try citizens where courts were open for trial by*

*jury.* Never once does he refer to the evidence upon which the commission tried the prisoner. Not even does he utter the prisoner's name. The effect is to remove completely all prejudice aroused by the nature of the original charge and to center the issue where it belongs—upon the right to deny any citizen a trial by jury. Attention is also called to the terrific drive of the speech toward our deep-rooted instinct of *self-preservation.* Honor, duty, or justice, which so often constitute the level of forensic appeals, have no place here. Instead, the speaker makes this case a precedent upon which may hang the preservation of human rights and all constitutional authority, including even that of the Supreme Court itself. Said an eye-witness: It was "indisputably the most remarkable forensic effort before that august tribunal, [the speaker] delivering his address without a solitary note . . . yet he presented an array of law, fact and argument with such remarkable force . . . as startled . . . those who listened to him."

In the face of a popular outcry for the execution of Milligan, the Supreme Court, composed of Northern judges, upheld the defense on all points and ordered the prisoner freed.

(From C. F. Black's, *Essays and Speeches of Jeremiah S. Black,* D. Appleton & Co., New York.)

MAY IT PLEASE YOUR HONORS:

I am not afraid that you will underrate the importance of this case. It concerns the rights of the whole people. Such questions have generally been settled by arms; but since the beginning of the world no battle has ever been lost or won upon which the liberties of a nation were so distinctly staked as they are on the result of this argument. The pen that writes the judgment of the court will be mightier for good or for evil than any sword that ever was wielded by mortal arm. As might be expected from the nature of the subject, it has been a good deal discussed elsewhere, in legislative bodies, in public assemblies, and in the newspaper press of the country; but there it has been mingled with interests and feelings not very friendly to a correct conclusion. Here we are in a higher atmosphere, where no passion can disturb the judgment or shake the even balance in which the scales of reason are held. Here it is purely a judicial question; and I can speak for my colleagues as well as myself when I say that we have no thought to suggest which we do not suppose to be a fair element in the strictly legal judgment which you are required to make up. In performing the duty assigned to me in the case, I shall necessarily refer to the mere rudiments of constitutional law, to the most commonplace

topics of history, and to those plain rules of justice and right which pervade all our institutions. I beg your honors to believe that this is not done because I think that the court, or any member of it, is less familiar with these things than I am, or less sensible to their value, but simply and only because, according to my view of the subject, there is absolutely no other way of dealing with it. If the fundamental principles of American liberty are attacked, and we are driven behind the inner walls of the constitution to defend them, we can repel the assault only with those same old weapons which our ancestors used a hundred years ago. You must not think the worse of our armor because it happens to be old-fashioned, and looks a little rusty from long disuse.

The case before you presents but a single point, and that an exceedingly plain one. It is not incumbered with any of those vexed questions that might be expected to arise out of a great war. You are not called upon to decide what kind of rule a military commander may impose upon the inhabitants of a hostile country which he occupies as a conqueror, or what punishment he may inflict upon the soldiers of his own army, or the followers of his camp; or yet how he may deal with civilians in a beleaguered city or other place in a state of actual siege, which he is required to defend against a public enemy. This contest covers no such ground as that. The men whose acts we complain of erect themselves into a tribunal for the trial and punishment of citizens who were connected in no way whatever with the army or navy; and this they did in the midst of a community whose social and legal organization had never been disturbed by any war or insurrection, where the courts were wide open, where judicial process was executed every day without interruption, and where all the civil authorities, both state and national, were in full exercise of their functions.

My clients were dragged before this strange tribunal, and, after a proceeding, which it would be mere mockery to call a trial, they were ordered to be hung. The charge against them was put into writing, and is found on this record, but you will not be able to decipher its meaning. The relators were not accused of treason, for no act is imputed to them which, if true, would come within the definition of that crime. It was not conspiracy, under the act of

1861, for all concerned in this business must have known that conspiracy was not a capital offense. If the commissioners were able to read English, they could not help but see that it was made punishable, even by fine and imprisonment, only upon condition that the parties should first be convicted before a circuit or district court of the United States. The judge advocate must have meant to charge them with some offense unknown to the laws which he chose to make capital by legislation of his own, and the commissioners were so profoundly ignorant as to think that the legal innocence of the parties made no difference in the case. I do not say, what Sir James Mackintosh said of a similar proceeding, that the trial was a mere conspiracy to commit wilful murder upon three innocent men. The commissioners are not on trial; they are absent and undefended; and they are entitled to the benefit of that charity which presumes them to be wholly unacquainted with the first principles of natural justice, and quite unable to comprehend either the law or the facts of a criminal cause.

Keeping the character of the charges in mind, let us come at once to the simple question on which the court below divided in opinion: *Had the commissioners jurisdiction? Were they invested with legal authority to try the relators and put them to death for the offense of which they were accused?* We answer, no; and therefore the whole proceeding, from beginning to end, was utterly null and void. On the other hand, it is absolutely necessary for those who oppose us to assert, and they do assert, that the commissioners had complete legal jurisdiction, both of the subject-matter and of the parties, so that their judgment upon the law and facts is absolutely conclusive and binding, not subject to correction, nor open to inquiry in any court whatever. Of these two opposite views you must adopt one or the other, for there is no middle ground on which you can possibly stand.

I need not say (for it is the law of the horn-books) that, where a court (whatever may be its power in other respects) presumes to try a man for an offense of which it has no right to take judicial cognizance, all its proceedings in that case are null and void. If the party is acquitted, he cannot plead the acquittal afterwards in bar of another prosecution. If he is found guilty and sentenced, he

is entitled to be relieved from the punishment. If a circuit court of the United States should undertake to try a party for an offense clearly within the exclusive jurisdiction of the state courts, the judgment could have no effect. If a county court in the interior of a state should arrest an officer of the federal navy, try him, and order him to be hung for some offense against the law of nations committed upon the high seas or in a foreign port, nobody would treat such a judgment otherwise than with mere derision. The federal courts have jurisdiction to try offenses against the laws of the United States, and the authority of the state courts is confined to the punishment of acts which are made penal by state laws. It follows that, where the accusation does not amount to an offense against the law of either the state or federal government, no court can have jurisdiction to try it. Suppose, for example, that the judges of this court should organize themselves into a tribunal to try a man for witchcraft, or heresy, or treason against the Confederate States of America, would anybody say that your judgment had the least validity?

I care not, therefore, whether the relators were intended to be charged with treason or conspiracy, or with some offense of which the law takes no notice. Either or any way, the men who undertook to try them had no jurisdiction of the *subject-matter*.

Nor had they jurisdiction of the *parties*. It is not pretended that this was a case of impeachment, or a case arising in the land or naval forces. It is either nothing at all, or else it is a simple crime against the United States, committed by private individuals not in the public service, civil or military. Persons standing in that relation to the government are answerable for the offenses which they may commit only to the civil courts of the country. So says the constitution, as we read it, and the act of congress of March 3, 1863, which was passed in express reference to persons precisely in the situation of these men, declares that they shall be delivered up for trial to the proper civil authorities.

There being no jurisdiction of the subject-matter or of the parties, you are bound to relieve the petitioners. It is as much the duty of a judge to protect the innocent as it is to punish the guilty. Suppose that the secretary of some department should take it into his head

to establish an ecclesiastical tribunal here in the city of Washington, composed of clergymen "organized to convict" everybody who prays after a fashion inconsistent with the supposed safety of the state. If he would select the members with a proper regard to the *odium theologicum*, I think I could insure him a commission that would hang every man and woman who might be brought before it. But would you, the judges of the land, stand by and see their sentences executed? No; you would interpose your *writ of prohibition*, your *habeas corpus*, or any other process that might be at your command, between them and their victims; and you would do that for precisely the reason which requires your intervention here,—because religious errors, like political errors, are not crimes which anybody in this country has jurisdiction to punish, and because ecclesiastical commissions, like military commissions, are not among the judicial institutions of this people. Our fathers long ago cast them both aside among the rubbish of the Dark Ages; and they intended that we, their children, should know them only that we might blush and shudder at the shameless injustice and the brutal cruelties which they were allowed to perpetrate in other times and other countries.

But our friends on the other side are not at all impressed with these views. Their brief corresponds exactly with the doctrines propounded by the Attorney General, in a very elaborate official paper, which he published last July, upon this same subject. He then avowed it to be his settled and deliberate opinion that the military might "*take and kill, try and execute*" (I use his own words), persons who had no sort of connection with the army or navy and, though this be done in the face of the open courts, the judicial authorities, according to him, are utterly powerless to prevent the slaughter which may thus be carried on. That is the thesis which the Attorney General and his assistant counselors are to maintain this day, if they can maintain it, with all the power of their artful eloquence.

We, on the other hand, submit that a person not in the military or naval service cannot be punished at all until he has had a fair, open, public trial before an impartial jury, in an ordained and established court, to which the jurisdiction has been given by law to try him for that specific offense. There is our proposition. Between the ground we take and the ground they occupy there is

and there can be no compromise. It is one way or the other.

Our proposition ought to be received as true without any argument to support it; because, if that, or something precisely equivalent to it, be not a part of our law, this is not, what we have always supposed it to be, a free country. Nevertheless, I take upon myself the burden of showing affirmatively not only that it is true, but that it is immovably fixed in the very framework of the government, so that it is utterly impossible to detach it without destroying the whole political structure under which we live. By removing it you destroy the life of this nation as completely as you would destroy the life of an individual by cutting the heart out of his body. I proceed to the proof.

In the first place, the self-evident truth will not be denied that the trial and punishment of an offender against the government is the exercise of judicial authority. That is a kind of authority which would be lost by being diffused among the masses of the people. A judge would be no judge if everybody else were a judge as well as he. Therefore, in every society, however rude or however perfect its organization, the judicial authority is always committed to the hands of particular persons, who are trusted to use it wisely and well; and their authority is exclusive,—they cannot share it with others to whom it has not been committed. Where, then, is the judicial power in this country? Who are the depositaries of it here? The Federal Constitution answers that question in very plain words by declaring that "*the judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as Congress may from time to time ordain and establish.*" Congress *has*, from time to time, ordained and established certain inferior courts; and in them, together with the one supreme court, to which they are subordinate, is vested all the judicial power, properly so called, which the United States can lawfully exercise. That was the compact made with the general government at the time it was created. The states and the people agreed to bestow upon that government a certain portion of the judicial power, which otherwise would have remained in their own hands, but gave it on a solemn trust, and coupled the grant of it with this express condition that it should never be used in any way but one,—that is, by means of ordained

and established courts. Any person, therefore, who undertakes to exercise judicial power in any other way, not only violates the law of the land, but he treacherously tramples upon the most important part of that sacred covenant which holds these states together.

May it please your honors, you know, and I know, and everybody else knows, that it was the intention of the men who founded this republic to put the life, liberty, and property of every person in it under the protection of a regular and permanent judiciary, separate, apart, distinct from all other branches of the government, whose sole and exclusive business it should be to distribute justice among the people according to the wants of each individual. It was to consist of courts, always open to the complaint of the injured, and always ready to hear criminal accusations when founded upon probable cause surrounded with all the machinery necessary for the investigation of truth, and clothed with sufficient power to carry their decrees into execution. In these courts it was expected that judges would sit who would be upright, honest and sober men, learned in the laws of their country, and lovers of justice from the habitual practice of that virtue; independent, because their salaries could not be reduced; and free from party passion, because their tenure of office was for life. Although this would place them above the clamors of the mere mob, and beyond the reach of executive influence, it was not intended that they should be wholly irresponsible. For any wilful or corrupt violation of their duty they are liable to be impeached; and they cannot escape the control of an enlightened public opinion, for they must sit with open doors, listen to full discussion, and give satisfactory reasons for the judgments they pronounce. In ordinary, tranquil times, the citizen might feel himself safe under a judicial system so organized.

But our wise forefathers knew that tranquillity was not to be always anticipated in a republic. The spirit of a free people is often turbulent. They expected that strife would rise between classes and sections, and even civil war might come, and they supposed that in such times judges themselves might not be safely trusted in criminal cases,—especially in prosecutions for political offenses, where the whole power of the executive is arrayed against the accused party. All history proves that public officers of any government, when

they are engaged in a severe struggle to retain their places, become bitter and ferocious, and hate those who oppose them, even in the most legitimate way, with a rancor which they never exhibit toward actual crime. This kind of malignity vents itself in prosecutions for political offenses, sedition, conspiracy, libel, and treason, and the charges are generally founded upon the information of hireling spies and common delators, who make merchandise of their oaths, and trade in the blood of their fellow men. During the civil commotions in England, which lasted from the beginning of the reign of Charles I. to the revolution in 1688, the best men and purest patriots that ever lived fell by the hand of the public executioner. Judges were made the instruments for inflicting the most merciless sentences on men the latchet of whose shoes the ministers that prosecuted them were not worthy to stoop down and unloose. Let me say here that nothing has occurred in the history of this country to justify the doubt of judicial integrity which our forefathers seem to have felt. On the contrary, the highest compliment that has ever been paid to the American bench is embodied in this simple fact: that if the executive officers of this government have ever desired to take away the life or the liberty of a citizen contrary to law, they have not come into the courts to get it done; they have gone outside of the courts, and stepped over the constitution, and created their own tribunals, composed of men whose gross ignorance and supple subservience could always be relied on for those base uses to which no judge would ever lend himself. But the framers of the constitution could act only upon the experience of that country whose history they knew most about, and there they saw the brutal ferocity of Jeffreys and Scroggs, the timidity of Guilford, and the base venality of such men as Saunders and Wright. It seemed necessary, therefore, not only to make the judiciary as perfect as possible, but to give the citizen yet another shield against the wrath and malice of his government. To that end they could think of no better provision than a public trial before an impartial jury.

I do not assert that the jury trial is an infallible mode of ascertaining truth. Like everything human, it has its imperfections. I only say that it is the best protection for innocence, and the surest mode of punishing guilt, that has yet been discovered. It

has borne the test of a longer experience, and borne it better than any other legal institution that ever existed among men. England owes more of her freedom, her grandeur, and her prosperity to that than to all other causes put together. It has had the approbation not only of those who lived under it, but of great thinkers who looked at it calmly from a distance, and judged it impartially. Montesquieu and De Tocqueville speak of it with an admiration as rapturous as Coke and Blackstone. Within the present century, the most enlightened states of continental Europe have transplanted it into their countries; and no people ever adopted it once, and were afterwards willing to part with it. It was only in 1840 that an interference with it in Belgium provoked a successful insurrection which permanently divided one kingdom into two. In the same year, the revolution of the Barricades gave the right of trial by jury to every Frenchman.

Those colonists of this country who came from the British islands brought this institution with them, and they regarded it as the most precious part of their inheritance. The immigrants from other places, where trial by jury did not exist, became equally attached to it as soon as they understood what it was. There was no subject upon which all the inhabitants of the country were more perfectly unanimous than they were in their determination to maintain this great right unimpaired. An attempt was made to set it aside, and substitute military trials in its place, by Lord Dunmore, in Virginia, and General Gage, in Massachusetts, accompanied with the excuse which has been repeated so often in late days, namely, that rebellion had made it necessary; but it excited intense popular anger, and every colony, from New Hampshire to Georgia, made common cause with the two whose rights had been especially invaded. Subsequently the continental congress thundered it into the ear of the world as an unendurable outrage, sufficient to justify universal insurrection against the authority of the government which had allowed it to be done.

If the men who fought out our Revolutionary contest, when they came to frame a government for themselves and their posterity, had failed to insert a provision making the trial by jury perpetual and universal, they would have covered themselves all over with infamy

as with a garment, for they would have proved themselves basely recreant to the principles of that very liberty of which they professed to be the special champions. But they were guilty of no such treachery. They not only took care of the trial by jury, but they regulated every step to be taken in a criminal trial. They knew very well that no people could be free under a government which had the power to punish without restraint. Hamilton expressed in the *Federalist* the universal sentiment of his time when he said that the arbitrary power of conviction and punishment for pretended offenses had been the great engine of despotism in all ages and all countries. The existence of such a power is utterly incompatible with freedom. The difference between a master and his slave consists only in this: that the master holds the lash in his hands, and he may use it without legal restraint, while the naked back of the slave is bound to take whatever is laid on it.

But our fathers were not absurd enough to put unlimited power in the hands of the ruler, and take away the protection of law from the rights of individuals. It was not thus that they meant "to secure the blessings of liberty to themselves and their posterity." They determined that not one drop of the blood which had been shed on the other side of the Atlantic during seven centuries of contest with arbitrary power should sink into the ground, but the fruits of every popular victory should be garnered up in this new government. Of all the great rights already won they threw not an atom away. They went over the *Magna Charta,* the *Petition of Right,* the *Bill of Rights,* and the rules of the common law, and whatever was found there to favor individual liberty they carefully inserted in their own system, improved by clearer expression, strengthened by heavier sanctions, and extended by a more universal application. They put all those provisions into the organic law, so that neither tyranny in the executive nor party rage in the legislature could change them without destroying the government itself.

Look for a moment at the particulars, and see how carefully everything connected with the administration of punitive justice is guarded.

(1) No *ex post facto* law shall be passed. No man shall be answerable criminally for any act which was not defined and made

punishable as a crime by some law in force at the time when the act was done.

(2) For an act which is criminal he cannot be arrested without a judicial warrant founded on proof of probable cause. He shall not be kidnapped and shut up on the mere report of some base spy, who gathers the materials of a false accusation by crawling into his house and listening at the keyhole of his chamber door.

(3) He shall not be compelled to testify against himself. He may be examined before he is committed, and tell his own story if he pleases, but the rack shall be put out of sight, and even his conscience shall not be tortured; nor shall his unpublished papers be used against him, as was done most wrongfully in the case of Algernon Sidney.

(4) He shall be entitled to a speedy trial; not kept in prison for an indefinite time without the opportunity of vindicating his innocence.

(5) He shall be informed of the accusation, its nature and grounds. The public accuser must put the charge into the form of a legal indictment, so that the party can meet it full in the face.

(6) Even to the indictment he need not answer unless a grand jury, after hearing the evidence, shall say upon their oaths that they believe it to be true.

(7) Then comes the trial, and it must be before a regular court, of competent jurisdiction, ordained and established for the state and district in which the crime was committed; and this shall not be evaded by a legislative change in the district after the crime is alleged to be done.

(8) His guilt or innocence shall be determined by an impartial jury. These English words are to be understood in their English sense, and they mean that the jurors shall be fairly selected by a sworn officer from among the peers of the party, residing within the local jurisdiction of the court. When they are called into the box, he can purge the panel of all dishonesty, prejudice, personal enmity, and ignorance by a certain number of peremptory challenges, and as many more challenges as he can sustain by showing reasonable cause.

(9) The trial shall be public and open, that no underhand advantage may be taken. The party shall be confronted with the wit-

nesses against him, have compulsory process for his own witnesses, and be entitled to the assistance of counsel in his defense.

(10) After the evidence is heard and discussed, unless the jury shall, upon their oaths, *unanimously* agree to surrender him up into the hands of the court as a guilty man, not a hair of his head can be touched by way of punishment.

(11) After a verdict of guilty, he is still protected. No cruel or unusual punishment shall be inflicted, nor any punishment at all, except what is annexed by the law to his offense. It cannot be doubted for a moment that, if a person convicted of an offense not capital were to be hung on the order of a judge, such judge would be guilty of murder as plainly as if he should come down from the bench, tuck up the sleeves of his gown, and let out the prisoner's blood with his own hand.

(12) After all is over, the law continues to spread its guardianship around him. Whether he is acquitted or condemned, he shall never again be molested for that offense. No man shall be twice put in jeopardy of life or limb for the same cause.

These rules apply to all criminal prosecutions; but, in addition to these, certain special regulations were required for *treason*,—the one great political charge under which more innocent men have fallen than any other. A tyrannical government calls everybody a traitor who shows the least unwillingness to be a slave. The party in power never fails, when it can, to stretch the law on that subject by construction, so as to cover its honest and conscientious opponents. In the absence of a constitutional provision, it was justly feared that statutes might be passed which would put the lives of the most patriotic citizens at the mercy of the basest minions that skulk about under the pay of the executive. Therefore a definition of treason was given in the fundamental law, and the legislative authority could not enlarge it to serve the purpose of partisan malice. The nature and amount of evidence required to prove the crime was also prescribed, so that prejudice and enmnity might have no share in the conviction. And, lastly, the punishment was so limited that the property of the party could not be confiscated, and used to reward the agents of his persecutors, or strip his family of their subsistence.

If these provisions exist in full force, unchangeable and irre-

pealable, then we are not heredity bondsmen. Every citizen may safely pursue his lawful calling in the open day; and at night, if he is conscious of innocence, he may lie down in security, and sleep the sound sleep of a freeman.

I say they are in force, and they will remain in force. We have not surrendered them, and we never will. *If the worst comes to the worst, we will look to the living God for His help, and defend our rights and the rights of our children to the last extremity.* Those men who think we can be subjected and abjected to the condition of mere slaves are wholly mistaken. The great race to which we belong has not degenerated so fatally.

But how am I to prove the existence of these rights? I do not propose to do it by a long chain of legal argumentation, nor by the production of numerous books with the leaves dog-eared and the pages marked. If it depended upon judicial precedents, I think I could produce as many as might be necessary. If I claimed this freedom under any kind of prescription, I could prove a good long possession in ourselves and those under whom we claim it. I might begin with Tacitus, and show how the contest arose in the forests of Germany more than two thousand years ago; how the rough virtues and sound common sense of that people established the right of trial by jury, and thus started on a career which has made their posterity the foremost race that ever lived in all the tide of time. The Saxons carried it to England, and were ever ready to defend it with their blood. It was crushed out by the Danish invasion; and all that they suffered of tyranny and oppression during the period of their subjugation resulted from the want of trial by jury. If that had been conceded to them, the reaction would not have taken place which drove back the Danes to their frozen homes in the north. But those ruffian sea kings could not understand that, and the reaction came. Alfred, the greatest of revolutionary heroes, and the wisest monarch that ever sat on a throne, made the first use of his power, after the Saxons restored it, to reëstablish their ancient laws. He had promised them that he would, and he was true to them, because they had been true to him. But it was not easily done. The courts were opposed to it, for it limited their power; a kind of power that everybody covets,—the power to punish without regard to law. He was

obliged to hang forty-four judges in one year for refusing to give his subjects a trial by jury. When the historian says that he hung them, it is not meant that he put them to death without a trial. He had them impeached before the grand council of the nation, the Wittenagemote, the parliament of that time. During the subsequent period of Saxon domination, no man on English soil was powerful enough to refuse a legal trial to the meanest peasant. If any minister or any king, in war or in peace, had dared to punish a freeman by a tribunal of his own appointment, he would have roused the wrath of the whole population. All orders of society would have resisted it,—lord and vassal, knight and squire, priest and penitent, bocman and socman, master and thrall, copy-holder and villein, would have risen in one mass, and burned the offender to death in his castle, or followed him in his flight and torn him to atoms. It was again trampled down by the Norman conquerors; but the evils resulting from the want of it united all classes in the effort which compelled King John to restore it by the Great Charter. Everybody is familiar with the struggles which the English people, during many generations, made for their rights with the Plantagenets, the Tudors, and the Stuarts, and which ended finally in the revolution of 1688, when the liberties of England were placed upon an impregnable basis by the Bill of Rights.

Many times the attempt was made to stretch the royal authority far enough to justify military trials, but it never had more than temporary success. Five hundred years ago Edward II. closed up a great rebellion by taking the life of its leader, the Earl of Lancaster, after trying him before a military court. Eight years later that same king, together with his lords and commons in parliament assembled, acknowledged with shame and sorrow that the execution of Lancaster was a mere murder, because the courts were open, and he might have had a legal trial. Queen Elizabeth, for sundry reasons affecting the safety of the state, ordered that certain offenders not of her army should be tried according to the law martial; but she heard the storm of popular vengeance rising, and, haughty, imperious, self-willed as she was, she yielded the point, for she knew that upon that subject the English people would never consent to be trifled with. Strafford, as Lord Lieutenant of Ireland, tried the

Viscount Stormont before a military commission. When impeached for it, he pleaded in vain that Ireland was in a state of insurrection, that Stormont was a traitor, and the army would be undone if it could not defend itself without appealing to the civil courts. The parliament was deaf; the king himself could not save him; he was condemned to suffer death as a traitor and a murderer. Charles I. issued commissions to divers officers for the trial of his enemies according to the course of military law. If rebellion ever was an excuse for such an act, he could surely have pleaded it, for there was scarcely a spot in his kingdom, from sea to sea, where the royal authority was not disputed by somebody. Yet the parliament demanded in their Petition of Right, and the king was obliged to concede, that all his commissions were illegal. James II. claimed the right to suspend the operation of the penal laws,—a power which the courts denied,—but the experience of his predecessors taught him that he could not suspend any man's right to a trial. He could easily have convicted the seven bishops of any offense he saw fit to charge them with if he could have selected their judges from among the mercenary creatures to whom he had given commands in his army; but this he dared not do. He was obliged to send the bishops to a jury, and endure the mortification of seeing them acquitted. He, too, might have had rebellion for an excuse, if rebellion be an excuse. The conspiracy was already ripe which, a few months afterwards, made him an exile and an outcast. He had reason to believe that the Prince of Orange was making his preparations on the other side of the channel to invade the kingdom, where thousands burned to join him; nay, he pronounced the bishops guilty of rebellion by the very act for which he arrested them. He had raised an army to meet the rebellion, and he was on Hounslow Heath, reviewing the troops organized for that purpose, when he heard the great shout of joy that went up from Westminster Hall, was echoed back from Templar Bar, spread down the city and over the Thames, and rose from every vessel on the river,—the simultaneous shout of two hundred thousand men for the triumph of justice and law.

If it were worth the time, I might detain you by showing how this subject was treated by the French court of cassation, in Geoffroy's case, under the constitution of 1830, when a military judg-

ment was unhesitatingly pronounced to be void, though ordered by the king, after a proclamation declaring Paris in a state of siege. *Fas est ab hoste doceri,*—we may lawfully learn something from our enemies; at all events, we should blush at the thought of not being equal on such a subject to the courts of Virginia, Georgia, Mississippi, and Texas, whose decisions my colleague, General Garfield, has read and commented on.

The truth is that no authority exists anywhere in the world for the doctrine of the Attorney General. No judge or jurist, no statesman or parliamentary orator, on this or the other side of the water, sustains him. Every elementary writer from Coke to Wharton is against him. All military authors, who profess to know the duties of their profession, admit themselves to be under, not above, the laws. No book can be found in any library to justify the assertion that military tribunals may try a citizen at a place where the courts are open. When I say no book, I mean, of course, no book of acknowledged authority. I do not deny that hireling clergymen have often been found to disgrace the pulpit by trying to prove the divine right of kings and other rulers to govern as they please. It is true, also, that court sycophants and party hacks have many times written pamphlets, and perhaps large volumes, to show that those whom they serve should be allowed to work out their bloody will upon the people. No abuse of power is too flagrant to find its defenders among such servile creatures. Those butchers' dogs that feed upon garbage and fatten upon the offal of the shambles, are always ready to bark at whatever interferes with the trade of their master.

But this case does not depend on authority. It is rather a question of fact than of law.

I prove my right to a trial by jury, just as I would prove my title to an estate if I held in my hand a solemn deed conveying it to me, coupled with undeniable evidence of long and undisturbed possession under and according to the deed. There is the charter by which we claim to hold it. It is called the "Constitution of the United States." It is signed by the sacred name of George Washington, and by thirty-nine other names, only less illustrious than his. They represented every independent state then upon this continent, and each state afterwards ratified their work by a separate conven-

tion of its own people. Every state that subsequently came in acknowledged that this was the great standard by which their rights were to be measured. Every man that has ever held office in this country, from that time to this, has taken an oath that he would support and sustain it through good report and through evil. The Attorney General himself became a party to the instrument when he laid his hand upon the Gospel of God and solemnly swore that he would give to me and every other citizen the full benefit of all it contains.

What does it contain? This, among other things:

"The trial of all crimes, except in cases of impeachment, shall be by jury."

Again: "No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land and naval forces, or in the militia when in actual service in time of war or public danger; nor shall any person be subject, for the same offense, to be twice put in jeopardy of life or limb, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

This is not all; another article declares that "in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for the witnesses in his favor; and to have the assistance of counsel for his defense."

Is there any ambiguity there? If that does not signify that a jury trial shall be the exclusive and only means of ascertaining guilt in criminal cases, then I demand to know what words or what collocation of words in the English language would have that effect. Does this mean that a fair, open, speedy, public trial by an impartial jury shall be given only to those persons against whom no special grudge is felt by the Attorney General, or the Judge Advocate, or the head of a department? Shall this inestimable privilege be ex-

tended only to men whom the administration does not care to convict? Is it confined to vulgar criminals, who commit ordinary crimes against society, and shall it be denied to men who are accused of such offenses as those for which Sidney and Russell were beheaded, and Alice Lisle was hung, and Elizabeth Gaunt was burned alive, and John Bunyan was imprisoned fourteen years, and Baxter was whipped at the cart's tail, and Prynn had his ears cut off? No; the words of the constitution are all-embracing,—

as broad and general as the casing air.

The trial of ALL crimes shall be by jury. ALL persons accused shall enjoy that privilege, and NO person shall be held to answer in any other way.

That would be sufficient without more. But there is another consideration which gives it ten-fold power. It is a universal rule of construction that general words in any instrument, though they may be weakened by enumeration, are always strengthened by exceptions. Here is no attempt to enumerate the particular case in which men charged with criminal offenses shall be entitled to a jury trial. It is simply declared that all shall have it. But that is coupled with a statement of two specific exceptions,—cases of impeachment, and cases arising in the land or naval forces. These exceptions strengthen the application of the general rule to all other cases. Where the lawgiver himself has declared when and in what circumstances you may depart from the general rule, you shall not presume to leave that onward path for other reasons, and make different exceptions. To exceptions, the maximum is always applicable, that *expressio unius exclusio est alterius.*

But we are answered that the judgment under consideration was pronounced in time of war, and it is therefore, at least morally, excusable. There may, or there may not, be something in that. I admit that the merits or demerits of any particular act, whether it involve a violation of the constitution or not, depend upon the motives that prompted it, the time, the occasion, and all the attending circumstances. When the people of this country come to decide upon the acts of their rulers, they will take all these things into consideration. But that presents the political aspect of the case,

with which, I trust, we have nothing to do here. I decline to discuss it. I would only say, in order to prevent misapprehension, that I think it is precisely in a time of war and civil commotion that we should double the guards upon the constitution. If the sanitary regulations which defend the health of a city are ever to be relaxed, it ought certainly not to be done when pestilence is abroad. When the Mississippi shrinks within its natural channel, and creeps lazily along the bottom, the inhabitants of the adjoining shore have no need of a dike to save them from inundation; but when the booming flood comes down from above, and swells into a volume which rises high above the plain on either side, then a crevasse in the levee becomes a most serious thing. So in peaceable and quiet times our legal rights are in little danger of being overborne; but when the wave of arbitrary power lashes itself into violence and rage, and goes surging up against the barriers which were made to confine it, then we need the whole strength of an unbroken constitution to save us from destruction. But this is a question which properly belongs to the jurisdiction of the stump and the newspaper.

There is another *quasi*-political argument,—necessity. If the law was violated because it could not be obeyed, that might be an excuse. But no absolute compulsion is pretended here. These commissioners acted, at most, under what they regarded as a moral necessity. The choice was left them to obey the law or disobey it. The disobedience was only necessary as means to an end which they thought desirable; and now they assert that, though these means are unlawful and wrong, they are made right, because without them the object could not be accomplished,—in other words, the end justifies the means. There you have a rule of conduct denounced by all law, human and divine, as being pernicious in policy and false in morals. See how it applies to this case. Here were three men whom it was desirable to remove out of this world, but there was no proof on which any court would take their lives; therefore it was necessary, and, being necessary, it was right and proper, to create an illegal tribunal which would put them to death without proof. By the same mode of reasoning, you can prove it equally right to poison them in their food, or stab them in their sleep.

Nothing that the worst men ever propounded has produced so

much oppression, misgovernment, and suffering as this pretense of state necessity. A great authority calls it "the tyrant's devilish plea," and the common honesty of all mankind has branded it with everlasting infamy.

Of course, it is mere absurdity to say that these relators were necessarily deprived of their right to a fair and legal trial, for the record shows that a court of competent jurisdiction was sitting at the very time, and in the same town, where justice would have been done without sale, denial, or delay. But concede, for the argument's sake, that a trial by jury was wholly impossible; admit that there was an absolute, overwhelming, imperious necessity operating so as literally to compel every act which the commissioners did,—would that give their sentence of death the validity and force of a legal judgment pronounced by an ordained and established court? The question answers itself. The trial was a violation of law, and no necessity could be more than a mere *excuse* for those who committed it.

If the commissioners were on trial for murder or conspiracy to murder, they might plead necessity, if the fact were true, just as they would plead insanity or anything else to show that their guilt was not wilful. But we are now considering the legal effect of their decision, and that depends on their legal authority to make it. They had no such authority; they usurped a jurisdiction which the law not only did not give them, but expressly forbade them to exercise, and it follows that their act is void, whatever may have been the real or supposed excuse for it. If these commissioners, instead of aiming at the life and liberty of the relators, had attempted to deprive them of their property by a sentence of confiscation, would any court in Christendom declare that such a sentence divested the title? Or would a person claiming under the sentence make his right any better by showing that the illegal assumption of jurisdiction was accompanied by some excuse which might save the commissioners from a criminal prosecution?

Let me illustrate still further. Suppose you, the judges of this court, to be surrounded in the hall where you are sitting by a body of armed insurgents, and compelled, by main force, to pronounce sentence of death upon the President of the United States for some

act of his upon which you have no legal authority to adjudicate. There would be a valid sentence if necessity alone could create jurisdiction. But could the President be legally executed under it? No; the compulsion under which you acted would be a good defense for you against an impeachment or an indictment for murder, but it would add nothing to the validity of a judgment which the law forbade you to give.

That a necessity for violating the law is nothing more than a mere excuse to the perpetrator, and does not, in any legal sense, change the quality of the act itself in its operation upon other parties, is a proposition too plain on original principles to need the aid of authority. I do not see how any man of common sense is to stand up and dispute it. But there is decisive authority upon the point. In 1815, at New Orleans, General Jackson took upon himself the command of every person in the city, suspended the functions of all the civil authorities, and made his own will for a time the only rule of conduct. It was believed to be absolutely necessary. Judges, officers of the city corporation, and members of the state legislature insisted on it as the only way to save the "booty and beauty" of the place from the unspeakable outrages committed at Badajos and St. Sebastian by the very same troops then marching to the attack. Jackson used the power thus taken by him moderately, sparingly, benignly, and only for the purpose of preventing mutiny in his camp. A single mutineer was restrained by a short confinement, and another was sent four miles up the river. But, after he had saved the city, and the danger was all over, he stood before the court to be tried by the law. His conduct was decided to be illegal by the same judge who had declared it to be necessary, and he paid the penalty without a murmur. The supreme court of Louisiana, in Johnson vs. Duncan, decided that everything done during the siege in pursuance of martial rule, but in conflict with the law of the land, was void and of no effect, without reference to the circumstances which made it necessary. Long afterwards the fine imposed upon Jackson was refunded, because his friends, while they admitted him to have violated the law, insisted that the necessity which drove him to it ought to have saved him from the punishment due only to a wilful offender.

The learned counsel on the other side will not assert that there was war at Indianapolis in 1864, for they have read Coke's *Institute* and Judge Grier's opinion in the *Prize Cases*, and of course they know it to be a settled rule that war cannot be said to exist where the civil courts are open. They will not set up the absurd plea of necessity, for they are well aware that it would not be true in point of fact. They will hardly take the ground that any kind of necessity could give legal validity to that which the law forbids. This, therefore, must be their position: that, although there was no war at the place where this commission sat, and no actual necessity for it, yet, if there was a war anywhere else, to which the United States were a party, the technical effect of such war was to take the jurisdiction away from the civil courts and transfer it to army officers.

General Butler: We do not take that position.

Mr. Black: Then they can take no ground at all, for nothing else is left. I do not wonder to see them recoil from their own doctrine when its nakedness is held up to their eyes; but they *must* stand upon that or give up their cause. They may not state their proposition precisely as I state it,—that is too plain a way of putting it; but, in substance, it is their doctrine,—has been the doctrine of the Attorney General's office ever since the advent of the present incumbent,—and is the doctrine of their brief, printed and filed in this case. What else can they say? They will admit that the constitution is not altogether without a meaning; that, at a time of universal peace, it imposes some kind of obligation upon those who swear to support it. If no war existed, they would not deny the exclusive jurisdiction of the civil courts in criminal cases. How, then, did the military get jurisdiction in Indiana?

All men who hold the Attorney General's opinion to be true, answer the question I have put by saying that military jurisdiction comes from the mere existence of war; and it comes in Indiana only as the legal result of a war which is going on in Mississippi, Tennessee, or South Carolina. The constitution is repealed, or its operation suspended, in one state, because there is war in another. The courts are open, the organization of society is intact, the judges are on the bench, and their process is not impeded; but their juris-

diction is gone. Why? Because, say our opponents, war exists, and the silent, legal, technical operation of that fact is to deprive all American citizens of their right to a fair trial.

That class of jurists and statesmen who hold that the trial by jury is lost to the citizen during the existence of war carry out their doctrine theoretically and practically to its ultimate consequences. The right of trial by jury being gone, all other rights are gone with it. Therefore a man may be arrested without an accusation, and kept in prison during the pleasure of his captors; his papers may be searched without a warrant; his property may be confiscated behind his back; and he has no earthly means of redress,—nay, an attempt to get a just remedy is construed as a new crime. He dare not even complain, for the right of free speech is gone with the rest of his rights. If you sanction that doctrine, what is to be the consequence? I do not speak of what is past and gone; but in case of a future war, what results will follow from your decision indorsing the Attorney General's views? They are very obvious. At the instant when the war begins, our whole system of legal government will tumble into ruin, and, if we are not all robbed and kidnapped and hanged and drawn and quartered, we will owe our immunity, not to the constitution and laws, but to the mere mercy or policy of those persons who may then happen to control the organized physical force of the country.

This certainly puts us in a most precarious condition. We must have war about half the time, do what we may to avoid it. The President or Congress can wantonly provoke a war whenever it suits the purpose of either to do so; and they can keep it going as long as they please, even after the actual conflict of arms is over. When Peace woos them, they can ignore her existence; and thus they can make war a chronic condition of the country, and the slavery of the people perpetual. Nay, we are at the mercy of any foreign potentate who may envy us the possession of those liberties which we boast of so much. He can shatter our constitution without striking a single blow, or bringing a gun to bear upon us. A simple declaration of hostilities is more terrible to us than an army with banners.

To me this seems the wildest delusion that ever took possession of a human brain. If there be one principle of political ethics more

universally acknowledged than another, it is that war, and especially civil war, can be justified only when it is undertaken to vindicate and uphold the legal and constitutional rights of the people; not to trample them down. He who carries on a system of wholesale slaughter for any other purpose must stand without excuse before God or man. In a time of war, more than at any other time, public liberty is in the hands of the public officers; and she is there in double trust,—first, as they are citizens, and therefore bound to defend her by the common obligation of all citizens, and, next, as they are her special guardians—

> Who should against her murderers shut the door,
> Not bear the knife themselves.

The opposing argument, when turned into plain English, means this, and this only: that, when the constitution is attacked upon one side, its official guardians may assail it upon the other; when rebellion strikes it in the face, they may take advantage of the blindness produced by the blow to sneak behind it and stab it in the back.

The convention when it framed the constitution, and the people when they adopted it, could have had no thought like that. If they had supposed that it would operate only while perfect peace continued, they certainly would have given us some other rule to go by in time of war; they would not have left us to wander about in a howling wilderness of anarchy, without a lamp to our feet or a guide to our path. Another thing proves their actual intent still more strikingly. They required that every man in any kind of public employment, state or national, civil or military, should swear, without reserve or qualification, that he would support the constitution. Surely our ancestors had too much regard for the moral and religious welfare of their posterity to impose upon them an oath like that if they intended and expected it to be broken half the time. The oath of an officer to support the constitution is as simple as that of a witness to tell the truth in a court of justice. What would you think of a witness who should attempt to justify perjury upon the ground that he had testified when civil war was raging, and he thought that, by swearing to a lie, he might promote some public or private object connected with the strife?

No, no! the great men who made this country what it is—the heroes who won her independence, and the statesmen who settled her institutions—had no such notions in their minds. Washington deserved the lofty praise bestowed upon him by the President of Congress when he resigned his commission,—that he had always regarded the rights of the civil authority through all changes and through all disasters. When his duty as President afterwards required him to arm the public force to suppress a rebellion in western Pennsylvania, he never thought that the constitution was abolished, by virtue of that fact, in New Jersey, or Maryland, or Virginia. It would have been a dangerous experiment for an adviser of his at that time, or at any time, to propose that he should deny a citizen his right to be tried by a jury, and substitute in place of it a trial before a tribunal composed of men elected by himself from among his own creatures and dependents. You can well imagine how that great heart would have swelled with indignation at the bare thought of such an insulting outrage upon the liberty and law of his country.

In the War of 1812, the man emphatically called the "Father of the Constitution" was the supreme Executive Magistrate. Talk of perilous times! There was the severest trial this Union ever saw. That was no half-organized rebellion on the one side of the conflict, to be crushed by the hostile millions and unbounded resources of the other. The existence of the nation was threatened by the most formidable military and naval power then upon the face of the earth. Every town upon the northern frontier, upon the Atlantic seaboard, and upon the Gulf coast was in daily and hourly danger. The enemy had penetrated the heart of Ohio. New York, Pennsylvania, and Virginia were all of them threatened from the west, as well as the east. This Capitol was taken, and burned, and pillaged, and every member of the Federal Administration was a fugitive before the invading army. Meanwhile, party spirit was breaking out into actual treason all over New England. Four of those states refused to furnish a man or a dollar even for their own defense. Their public authorities were plotting the dismemberment of the Union, and individuals among them were burning blue lights upon the coast as a signal to the enemy's ships. But in all this storm of

disaster, with foreign war in his front, and domestic treason on his flank, Madison gave out no sign that he would aid Old England and New England to break up this government of laws. On the contrary, he and all his supporters, though compassed round with darkness and with danger, stood faithfully between the constitution and its enemies—

> To shield it, and save it, or perish there too.

The framers of the constitution and all their contemporaries died and were buried; their children succeeded them, and continued on the stage of public affairs until they, too,

> Lived out their lease of life, and paid their breath
> To time and mortal custom.

And a third generation was already far on its way to the grave before this monstrous doctrine was conceived or thought of—that public officers all over the country might disregard their oaths whenever a war or a rebellion was commenced.

Our friends on the other side are quite conscious that, when they deny the binding obligation of the constitution, they must put some other system of law in its place. Their brief gives notice that, while the constitution, and the acts of Congress, and *Magna Charta*, and the common law, and all the rules of natural justice shall remain under foot, they will try American citizens according to *the law of nations!* But the law of nations takes no notice of the subject. If that system did contain a special provision that a government might hang one of its own citizens without judge or jury, it would still be competent for the American people to say, as they have said, that no such thing should ever be done here. That is my answer to the law of nations.

But then they tell us that the *laws of war* must be treated as paramount. Here they become mysterious. Do they mean that code of public law which defines the duties of two belligerent parties to one another, and regulates the intercourse of neutrals with both? If yes, then it is simply a recurrence to the law of nations, which has nothing on earth to do with the subject. Do they mean that portion of our municipal code which defines our duties to the government in war as well as in peace? Then they are speaking of the

constitution and laws, which declare in plain words that the government owes every citizen a fair legal trial, as much as the citizen owes obedience to the government. They are in search of an argument under difficulties. When they appeal to international law, it is silent; and when they interrogate the law of the land, the answer is an unequivocal contradiction of their whole theory.

The Attorney General tells us that all persons whom he and his associates choose to denounce for giving aid to the rebellion are to be treated as being themselves a part of the rebellion,—they are public enemies, and therefore they may be punished without being found guilty by a competent court or a jury. This convenient rule would outlaw every citizen the moment he is charged with a political offense. But political offenders are precisely the class of persons who most need the protection of a court and jury, for the prosecutions against them are most likely to be unfounded both in fact and in law. Whether innocent or guilty, to accuse is to convict them before the ignorant and bigoted men who generally sit in military courts. But this court decided in the *Prize Cases* that all who live in the enemy's territory are public enemies, without regard to their personal sentiments or conduct; and the converse of the proposition is equally true,—that all who reside inside of our own territory are to be treated as under the protection of the law. If they help the enemy, they are criminal; but they cannot be punished without legal conviction.

You have heard much (and you will hear more very soon) concerning the natural and inherent right of the government to defend itself without regard to law. This is wholly fallacious. In a despotism the autocrat is unrestricted in the means he may use for the defense of his authority against the opposition of his own subjects or others, and that is precisely what makes him a despot; but in a limited monarchy the prince must confine himself to a legal defense of his government. If he goes beyond that, and commits aggressions on the rights of the people, he breaks the social compact, releases his subjects from all their obligations to him, renders himself liable to be hurled from his throne, and dragged to the block or driven into exile. This principle was sternly enforced in the cases of Charles I. and James II., and we have it announced on the

highest official authority here that the Queen of England cannot ring a little bell on *her* table, and cause a man, by *her* arbitrary order, to be arrested under any pretense whatever. If that be true there, how much more true must it be here, where we have no personal sovereign, and where our only government is the constitution and laws. A violation of law, on pretense of saving such a government as ours, is not self-preservation, but suicide.

*Salus populi suprema lex.* Observe it is not *salus regis;* the safety of the *people,* not the safety of the *ruler,* is the supreme law. When those who hold the authority of the government in their hands behave in such manner as to put the liberties and rights of the people in jeopardy, the people may rise against them and overthrow them without regard to that law which requires obedience to them. The maxim is revolutionary, and expresses simply the right to resist tyranny, without regard to prescribed forms. It can never be used to stretch the powers of government *against* the people.

If this government of ours has no power to defend itself without violating its own laws, it carries the seeds of destruction in its own bosom; it is a poor, weak, blind, staggering thing, and the sooner it tumbles over the better. But it has a most efficient legal mode of protecting itself against all possible danger. It is clothed from head to foot in a complete panoply of defensive armor. What are the perils which may threaten its existence? I am not able at this moment to think of more than these which I am about to mention,—foreign invasion, domestic insurrection, mutiny in the army and navy, corruption in the civil administration, and last, but not least, criminal violations of its laws committed by individuals among the body of the people. Have we not a legal mode of defense against all these? Yes. Military force repels invasion and suppresses insurrection; you preserve discipline in the army and navy by means of courts-martial; you preserve the purity of the civil administration by impeaching dishonest magistrates; and crimes are prevented and punished by the regular judicial authorities. You are not merely compelled to use these weapons against your enemies, because they, and they only, are justified by the law; you ought to use them because they are more efficient than any other, and less liable to be abused.

There is another view of the subject which settles all controversy about it. No human being in this country can exercise any kind of public authority which is not conferred by law; and under the United States it must be given by the express words of a written statute. Whatever is not so given is withheld, and the exercise of it is positively prohibited. Courts-martial in the army and navy are authorized; they are legal institutions; their jurisdiction is limited, and their whole code of procedure is regulated, by act of Congress. Upon the civil courts all the jurisdiction they have or can have is bestowed by law, and, if one of them goes beyond what is written, its action is *ultra vires* and void. But a military commission is not a court-martial, and it is not a civil court. It is not governed by the law which is made for either, and has no law of its own. Within the last five years we have seen, for the first time, self-constituted tribunals not only assuming power which the law did not give them, but thrusting aside the regular courts to which the power was exclusively given.

What is the consequence? This terrible authority is wholly undefined, and its exercise is without any legal control. Undelegated power is always unlimited. The field that lies outside of the constitution and laws has no boundary. Thierry, the French historian of England, says that when the crown and scepter were offered to Cromwell, he hesitated for several days, and answered: "Do not make me a king, for then my hands will be tied up by the laws which define the duties of that office; but make me protector of the commonwealth, and I can do what I please,—no statute restraining and limiting the royal prerogative will apply to me." So these commissions have no legal origin and no legal name by which they are known among the children of men; no law applies to them; and they exercise all power for the paradoxical reason that none belongs to them rightfully.

Ask the Attorney General what rules apply to military commissions in the exercise of their assumed authority over civilians. Come, Mr. Attorney, "gird up thy loins now like a man. I will demand of thee, and thou shalt declare unto me if thou hast understanding." How is a military commission organized? What shall be the number and rank of its members? What offenses come within

its jurisdiction? What is its code of procedure? How shall witnesses be compelled to attend it? Is it perjury for a witness to swear falsely? What is the function of the Judge Advocate? Does he tell the members how they must find, or does he only persuade them to convict? Is he the agent of the government, to command them what evidence they shall admit, and what sentence they shall pronounce, or does he always carry his point, right or wrong, by the mere force of eloquence and ingenuity? What is the nature of their punishment? May they confiscate property and levy fines, as well as imprison and kill? In addition to strangling their victim, may they also deny him the last consolations of religion, and refuse his family the melancholy privilege of giving him a decent grave?

To none of these questions can the Attorney General make a reply, for there is no law on the subject. He will not attempt to "darken counsel by words without knowledge," and therefore, like Job, he can only lay his hand upon his mouth and keep silence.

The power exercised through those military commissions is not only unregulated by law, but it is incapable of being so regulated. What is it that you claim, Mr. Attorney? I will give you a definition, the correctness of which you will not attempt to gainsay. You assert the right of the executive government, without the intervention of the judiciary, to capture, imprison, and kill any person to whom that government or its paid dependents may choose to impute an offense. This, in its very essence, is despotic and lawless. It is never claimed or tolerated except by those governments which deny the restraints of all law. It has been exercised by the great and small oppressors of mankind ever since the days of Nimrod. It operates in different ways; the tools it uses are not always the same; it hides its hideous features under many disguises; it assumes every variety of form;

> It can change shapes with Proteus for advantages,
> And set the murderous Machiavel to school.

But in all its mutations of outward appearance it is still identical in principle, object, and origin. It is always the same great engine of despotism which Hamilton described it to be.

Under the old French monarchy, the favorite fashion of it was a

*lettre de cachet,* signed by the king, and this would consign the party to a loathsome dungeon until he died, forgotten by all the world. An imperial *ukase* will answer the same purpose in Russia. The most faithful subject of that amiable autocracy may lie down in the evening to dream of his future prosperity, and before daybreak he will find himself between two dragoons on his way to the mines of Siberia. In Turkey, the verbal order of the sultan or any of his powerful favorites will cause a man to be tied up in a sack and cast into the Bosphorus. Nero accused Peter and Paul of spreading a "pestilent superstition," which they called the Gospel. He heard their defense in person, and sent them to the cross. Afterwards he tried the whole Christian church in one body on a charge of setting fire to the city, and he convicted them, though he knew, not only that they were innocent, but that he himself had committed the crime. The judgment was followed by instant execution. He let loose the Prætorian guards upon men, women and children, to drown, butcher and burn them. Herod saw fit, for good political reasons, closely affecting the permanence of his reign in Judea, to punish certain possible traitors in Bethlehem by anticipation. This required the death of all the children in that city under two years of age. He issued his "general order"; and his provost marshal carried it out with so much alacrity and zeal that in one day the whole land was filled with mourning and lamentation.

Macbeth understood the whole philosophy of the subject. He was an unlimited monarch. His power to punish for any offense or for no offense at all was as broad as that which the Attorney General claims for himself and his brother officers under the United States. But he was more cautious how he used it. He had a dangerous rival, from whom he apprehended the most serious peril to the "life of his government." The necessity to get rid of him was plain enough, but he could not afford to shock the moral sense of the world by pleading political necessity for a murder. He must

> Mask the business from the common eye.

Accordingly he sent for two enterprising gentlemen, whom he took into his service upon liberal pay,—"made love to their assistance," —and got them to deal with the accused party. He acted as his own

judge advocate. He made a most elegant and stirring speech to persuade his agents that Banquo was their oppressor, and had "held them so under fortune" that he ought to die for that alone. When they agreed that he was their enemy, then said the king:

> So is he mine, and though I *could*,
> With *barefaced power*, sweep him from my sight,
> And bid my *will* avouch it, yet I *must not*,
> For certain friends, who are both his and mine,
> Whose loves I may not drop.

For these, and "many weighty reasons" besides, he thought it best to commit the execution of his design to a subordinate agency. The commission thus organized in Banquo's case sat upon him that very night, at a convenient place beside the road where it was known he would be traveling; and they did precisely what the Attorney General says the military officers may do in this country,—they *took* and *killed* him, because their employer at the head of the government wanted it done, and paid them for doing it out of the public treasury.

But of all the persons that ever wielded this kind of power, the one who went most directly to the purpose and object of it was Lola Montez. She reduced it to the elementary principle. In 1848, when she was minister and mistress to the King of Bavaria, she dictated all the measures of the government. The times were troublesome. All over Germany the spirit of rebellion was rising; everywhere the people wanted to see a first-class revolution, like that which had just exploded in France. Many persons in Bavaria disliked to be governed so absolutely by a lady of the character which Lola Montez bore, and some of them were rash enough to say so. Of course that was treason, and she went about to punish it in the simplest of all possible ways. She bought herself a pack of English bulldogs, trained to tear the flesh, and mangle the limbs, and lap the life blood, and with these dogs at her heels, she marched up and down the streets of Munich with a most majestic tread, and with a sense of power which any judge advocate in America might envy. When she saw any person whom she chose to denounce for "thwarting the government" or "using disloyal language," her obedient fol-

lowers needed but a sign to make them spring at the throat of their victim. It gives me unspeakable pleasure to tell you the sequel. The people rose in their strength, smashed down the whole machinery of oppression, and drove out into uttermost shame king, strumpet, dogs, and all. From that time to this, neither man, woman, nor beast has dared to worry or kill the people of Bavaria.

All these are but so many different ways of using the arbitrary power to punish. The variety is merely in the means which a tyrannical government takes to destroy those whom it is bound to protect. Everywhere it is but another construction, on the same principle, of that remorseless machine by which despotism wreaks its vengeance on those who offend it. In a civilized country it nearly always uses the military force, because that is the sharpest and surest, as well as the best-looking, instrument that can be found for such a purpose. But in none of its forms can it be introduced into this country. We have no room for it; the ground here is all preoccupied by legal and free institutions. Between the officers who have a power like this and the people who are liable to become its victims, there can be no relation except that of master and slave. The master may be kind, and the slave may be contented in his bondage; but the man who can take your life, or restrain your liberty, or despoil you of your property at his discretion, either with his own hands or by means of a hired overseer, owns you, and he can force you to serve him. All you are and all you have, including your wives and children, are his property.

If my learned and very good friend, the Attorney General, had this right of domination over me, I should not be very much frightened, for I should expect him to use it as moderately as any man in all the world; but still I should feel the necessity of being very discreet. He might change in a short time. The thirst for blood is an appetite which grows by what it feeds upon. We cannot know him by present appearances. Robespierre resigned a country judgeship in early life because he was too tender hearted to pronounce sentence of death upon a convicted criminal. Caligula passed for a most amiable young gentleman before he was clothed with the imperial purple, and for about eight months afterwards. It was Trajan, I think, who said absolute power would convert any man into a wild beast, whatever

was the original benevolence of his nature. If you decide that the Attorney General holds in his own hands, or shares with others, the power of life and death over all, I mean to be very cautious in my intercourse with him; and *I warn you, the judges* whom I am now addressing, to do likewise. Trust not to the gentleness and kindness which have always marked his behavior heretofore. Keep your distance; be careful how you approach him; for you know not at what moment or by what a trifle you may rouse the sleeping tiger. Remember the injunction of Scripture: *"Go not near to the man who hath power to kill; and if thou come unto him, see that thou make no fault, lest he take away thy life presently, for thou goest among snares, and walkest upon the battlements of the city."*

The right of the Executive Government to kill and imprison citizens for political offenses has not been practically claimed in this country except in cases where commissioned officers of the army were the instruments used. Why should it be confined to them? Why should not naval officers be permitted to share in it? What is the reason that common soldiers and seamen are excluded from all participation in the business? No law has bestowed the right upon army officers more than upon other persons. If men are to be hung up without that legal trial which the constitution guarantees to them, why not employ commissions of clergymen, merchants, manufacturers, horse dealers, butchers, or drovers to do it? It will not be pretended that military men are better qualified to decide questions of fact or law than other classes of people; for it is known, on the contrary, that they are, as a general rule, least of all fitted to perform the duties that belong to a judge.

The Attorney General thinks that a proceeding which takes the lives of citizens without a constitutional trial is a most merciful dispensation. His idea of humanity as well as law is embodied in the bureau of military justice, with all its dark and bloody machinery. For that strange opinion he gives this curious reason: that the duty of the commander-in-chief is to kill, and, unless he has this bureau and these commissions, he must "butcher" indiscriminately, without mercy or justice. I admit that, if the commander-in-chief or any other officer of the government has the power of an Asiatic king; to butcher the people at pleasure, he ought to have somebody

to aid him in selecting his victims, as well as to do the rough work of strangling and shooting. But if my learned friend will only condescend to cast an eye upon the constitution, he will see at once that all the executive and military officers are completely relieved by the provision that the life of a citizen shall not be taken at all until after legal conviction by a court and jury.

You cannot help but see that military commissions, if suffered to go on, will be used for most pernicious purposes. I have criticized none of their past proceedings, nor made any allusion to their history in the last five years. But what can be the meaning of this effort to maintain them among us? Certainly not to punish actual guilt. All the ends of true justice are attained by the prompt, speedy, impartial trial which the courts are bound to give. Is there any danger that crime will be winked upon by the judges? Does anybody pretend that courts and juries have less ability to decide upon facts and law than the men who sit in military tribunals? The counsel in this cause will not insult you by even hinting such an opinion. What righteous or just purpose, then, can they serve? None, whatever.

But while they are utterly powerless to do even a shadow of good, they will be omnipotent to trample upon innocence, to gag the truth, to silence patriotism, and crush the liberties of the country. They will always be organized to convict, and the conviction will follow the accusation as surely as night follows the day. The government, of course, will accuse none before such a commission except those whom it predetermines to ruin and destroy. The accuser can choose the judges, and will certainly select those who are known to be the most ignorant, the most unprincipled, and the most ready to do whatever may please the power which gives them pay, promotion, and plunder. The willing witness can be found as easily as the superserviceable judge. The treacherous spy and the base informer—those loathsome wretches who do their lying by the job—will stock such a market with abundant perjury, for the authorities that employ them will be bound to protect as well as reward them. A corrupt and tyrannical government, with such an engine at its command, will shock the world with the enormity of its crimes. Plied, as it may be, by the arts of a malignant priesthood, and urged on by the

madness of a raving crowd, it will be worse than the popish plot or the French revolution,—it will be a combination of both, with Fouquier-Tinville on the bench, and Titus Oates in the witness box. You can save us from this horrible fate. You alone can "deliver us from the body of this death." To that fearful extent is the destiny of this nation in your hands!

## II. DEFENSE OF RICHARD LOEB AND NATHAN LEOPOLD, JR.

### CLARENCE DARROW

*Speaker:* Criminal lawyer and espouser of minority causes. Chief counsel for miners in anthracite coal strike arbitration, 1902–1903; for the McNamara Brothers, Los Angeles Times dynamite case, 1912; for Loeb-Leopold Chicago murder case, 1924; for Scopes in Dayton, Tennessee, evolution case, 1925.

*Occasion:* The defendants, on May 21, 1924, picked up Robert Franks, age 14, on a street in Chicago. He was driven through some of the principal streets of the city, struck on the head with a chisel and instantly killed. With the dead body in the rear, the car was driven twenty miles through the streets and parks of Chicago and out to a lonely spot in the country where it was stripped and hid in a culvert. The murder attracted national attention for several reasons: First, because of its brutal nature. Second, because both parties to the act were sons of millionaires. And third, because they had been accounted unusually brilliant youths. Leopold was the youngest boy ever graduating from University of Chicago and was, at this time, preparing to enter Harvard Law School. Loeb was the youngest graduate of the University of Michigan and was also preparing to study law. At the time of the murder Leopold was nineteen years old and Loeb was eighteen. The case was tried amidst a general popular outcry against the defendants. A plea of guilty was entered and the case was tried before a judge to determine whether the defendants should be hanged or sentenced to prison for life. It resulted in life imprisonment.

The argument here given covered a part of three days—August 22, 23, and 24, 1924.

*Audience:* Judge John R. Caverly, of the Cook County (Illinois) Circuit Court.

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It is, of course, impossible to indicate all of the phases of this speech that demand especial study. Referring not at all to the merits of the case, but

judging solely from the skill and power of the speech, this in one of the greatest judicial masterpieces in American history, and one or two "look" signs cannot point to all its high spots. But among numerous other things, note also the following: (1) How the speaker *turns the tables* upon the prosecution's arguments that (a) it was a coldblooded murder, (b) that wealth must not save them from the electric chair, (c) that the defense were afraid to have the case taken before a jury, and (d) that calling Loeb "Dickie" was a subtle effort to make him seem an irresponsible boy; (2) how Mr. Darrow converted the testimony of two state alienists, Church and Patrick, to his own advantage—then threw out that of the third one, Krohn; (3) the irresistible force of his detailing the influence of unfortunate early environment upon the life and thoughts of both Loeb and Leopold. The method of the latter is "This-or-Nothing." (See *The Spoken Word* p. 96ff.) (From the stenographic copy, revised by Mr. Darrow.)

YOUR HONOR, it has been almost three months since the great responsibility of this case was assumed by my associates and myself. I am willing to confess that it has been three months of great anxiety. A burden which I gladly would have been spared excepting for my feeling of affection toward some of the members of one of the unfortunate families. This responsibility is almost too great for any one to assume; but we lawyers can no more choose than the court can choose.

Our anxiety over this case has not been due to the facts that are connected with this most unfortunate affair, but to the almost unheard of publicity it has received; to the fact that newspapers all over this country have been giving it space such as they have almost never before given to any case. The fact that day after day the people of Chicago have been regaled with stories of all sorts about it, until almost every person has formed an opinion.

And when the public is interested and demands a punishment, no matter what the offense, great or small, it thinks of only one punishment, and that is death.

It may not be a question that involves the taking of human life; it may be a question of pure prejudice alone; but when the public speaks as one man it thinks only of killing.

We have been in this stress and strain for three months. We did what we could and all we could to gain the confidence of the public, who in the end really control, whether wisely or unwisely.

It was announced that there were millions of dollars to be spent

on this case. Wild and extravagant stories were freely published as though they were facts. Here was to be an effort to save the lives of two boys by the use of money in fabulous amounts, amounts such as these families never even had.

We announced to the public that no excessive use of money would be made in this case, neither for lawyers nor for psychiatrists, or in any other way. We have faithfully kept that promise.

The psychiatrists, as has been shown by the evidence in this case, are receiving a per diem, and only a per diem, which is the same as is paid by the State.

The attorneys, at their own request, have agreed to take such amount as the officers of the Chicago Bar Association may think is proper in this case.

If we fail in this defense it will not be for lack of money. It will be on account of money. Money has been the most serious handicap that we have met. There are times when poverty is fortunate.

I insist, your Honor, that had this been the case of two boys of these defendants' age, unconnected with families supposed to have great wealth, there is not a State's Attorney in Illinois who would not have consented at once to a plea of guilty and a punishment in the penitentiary for life. Not one.

No lawyer could have justified any other attitude. No prosecution could have justified it.

We could have come into this court without evidence, without argument, and this court would have given to us what every judge in the City of Chicago has given to every boy in the City of Chicago since the first special case was tried. We would have had no contest.

We are here with the lives of two boys imperiled, with the public aroused.

For what?

Because, unfortunately, the parents have money. Nothing else.

I told your Honor in the beginning that never had there been a case in Chicago, where on a plea of guilty a boy under twenty-one had been sentenced to death. I will raise that age and say, never has there been a case where a human being under the age of twenty-three has been sentenced to death. And, I think I am safe in saying, although I have not examined all the records and could not—but I

think I am safe in saying—that never has there been such a case in the State of Illinois.

And yet this court is urged, aye, threatened, that he must hang two boys contrary to precedents, contrary to the acts of every judge who ever held court in this state.

Why?

Tell me what public necessity there is for this.

Why need the State's Attorney ask for something that never before has been demanded?

Why need a judge be urged by every argument, moderate and immoderate, to hang two boys in the face of every precedent in Illinois, and in the face of the progress of the last fifty years?

Lawyers stand here by the day and read cases from the Dark Ages, where Judges have said that if a man had a grain of sense left and a child if he was barely out of his cradle, could be hanged because he knew the difference between right and wrong. Death sentences for eighteen, seventeen, sixteen and fourteen years have been cited. Brother Marshall has not half done his job. He should read his beloved Blackstone again.

I have heard in the last six weeks nothing but the cry for blood. I have heard from the office of the State's Attorney only ugly hate.

I have heard precedents quoted which would be a disgrace to a savage race.

I have seen a court urged almost to the point of threats to hang two boys, in the face of science, in the face of philosophy, in the face of humanity, in the face of experience, in the face of all the better and more humane thought of the age.

Why did not my friend, Mr. Marshall, who dug up from the relics of the buried past these precedents that would bring a blush of shame to the face of a savage, read this from Blackstone:

"Under fourteen, though an infant shall be judged to be incapable of guile prima facie, yet if it appeared to the court and the jury that he was capable of guile, and could discern between good and evil, he may be convicted and suffer death."

Thus a girl thirteen has been burned for killing her mistress.

How this case would delight Dr. Krohn! [A state psychiatrist.]

He would lick his chops over that more gleefully than over his dastardly homicidal attempt to kill these boys.

One boy of ten, and another of nine years of age, who had killed his companion were sentenced to death; and he of ten actually hanged.

Why?

He knew the difference between right and wrong. He had learned that in Sunday School.

Age does not count.

Why, Mr. Savage [special counsel for the state] says age makes no difference, and that if this court should do what every other court in Illinois has done since its foundation, and refuse to sentence these boys to death, no one else would ever be hanged in Illinois.

Well, I can imagine some results worse than that. So long as this terrible tool is to be used for a plaything, without thought or consideration, we ought to get rid of it for the protection of human life.

My friend Marshall has read Blackstone by the page, as if it had something to do with a fairly enlightened age, as if it had something to do with the year 1924, as if it had something to do with Chicago, with its boys' courts and its fairly tender protection of the young.

Now, your Honor, I shall discuss that more in detail a little later, and I only say it now because my friend Mr. Savage—did you pick him for his name or his ability or his learning?—because my friend Mr. Savage, in as cruel a speech as he knew how to make, said to this court that we plead guilty because we were afraid to do anything else.

Your Honor, that is true.

It was not correct that we would have defended these boys in this court; we believe we have been fair to the public. Anyhow, we have tried, and we have tried under terribly hard conditions.

We have said to the public and to this court that neither the parents, nor the friends, nor the attorneys would want these boys released. That they are as they are. Unfortunate though it be, it is true, and those the closest to them know perfectly well that they should not be released, and that they should be permanently isolated from society. We have said that; and we mean it. We are asking this

court to save their lives, which is the least and the most that a judge can do.

We did plead guilty before your Honor because we were afraid to submit our cause to a jury. I would not for a moment deny to this court or to this community a realization of the serious danger we were in and how perplexed we were before we took this most unusual step.

I can tell your Honor why.

I have found that years and experience with life tempers one's emotions and makes him more understanding of his fellowman.

When my friend Savage is my age, or even yours, he will read his address to this court with horror.

I am aware that as one grows older he is less critical. He is not so sure. He is inclined to make some allowance for his fellowman. I am aware that a court has more experience, more judgment and more kindliness than a jury.

Your Honor, it may be hardly fair to the court, I am aware that I have helped to place a serious burden upon your shoulders. And at that, I have always meant to be your friend. But this was not an act of friendship.

I know perfectly well that where responsibility is divided by twelve, it is easy to say:

"Away with him."

But, your Honor, if these boys hang, you must do it. There can be no division of responsibility here. You can never explain that the rest overpowered you. It must be by your deliberate, cool, premeditated act, without a chance to shift responsibility.

It was not a kindness to you. We placed this responsibility on your shoulders because we were mindful of the rights of our clients, and we were mindful of the unhappy families who have done no wrong.

Now, let us see, your Honor, what we had to sustain us. Of course, I have known your Honor for a good many years. Not intimately. I could not say that I could even guess from my experience what your Honor might do, but I did know something. I knew, your Honor, that ninety unfortunate human beings had been hanged by

the neck until dead in the city of Chicago in our history. We would not have civilization except for those ninety that were hanged, and if we cannot make it ninety-two we will have to shut up shop. Some ninety human beings have been hanged in the history of Chicago, and of those only four have been hanged on the plea of guilty,—one out of twenty-two.

I know that in the last ten years four hundred and fifty people have been indicted for murder in the city of Chicago and have pleaded guilty. Four hundred and fifty have pleaded guilty in the city of Chicago, and only one has been hanged!—And my friend who is prosecuting this case deserves the honor of that hanging while he was on the bench. But his victim was forty years old.

Your Honor will never thank me for unloading this responsibility upon you, but you know that I would have been untrue to my clients if I had not concluded to take this chance before a court, instead of submitting it to a poisoned jury in the city of Chicago. I did it knowing that it would be an unheard of thing for any court, no matter who, to sentence these boys to death.

And, so far as that goes, Mr. Savage is right. I hope, your Honor, that I have made no mistake.

I could have wished that the State's Attorney's office had met this case with the same fairness that we have met it.

It has seemed to me as I have listened to this case five or six times repeating the story of this tragedy, spending days to urge your Honor that a condition of mind could not mitigate, or that tender years could not mitigate, it has seemed to me that it ought to be beneath the representative of a proud state like this to invoke the dark and cruel and bloody past to affect this court and compass these boys' death.

Your Honor, I must for a moment criticize the arguments that have preceded me. I can read to you in a minute my friend Marshall's argument, barring Blackstone. But the rest of his arguments and the rest of Brother Savage's argument, I can sum up in a minute: *Cruel; dastardly; premeditated; fiendish; abandoned and malignant heart;*—sounds like a cancer—*cowardly*,—cold-blooded!

Now that is what I have listened to for three days against two

minors, two children, who have no right to sign a note or make a deed.

Cowardly?

Well, I don't know. Let me tell you something that I think is cowardly, whether their acts were or not. Here is Dickie Loeb, and Nathan Leopold, and the State objects to anybody calling one "Dickie" and the other "Babe" although everybody does, but they think they can hang them easier if their names are Richard and Nathan, so, we will call them Richard and Nathan.

Eighteen and nineteen years old at the time of the homicide.

Here are three officers watching them. They are led out and in this jail and across the bridge waiting to be hanged. Not a chance to get away. Handcuffed when they get out of this room. Not a chance. Penned like rats in a trap; and for a lawyer with physiological eloquence to wave his fist in front of their faces and shout "Cowardly!" does not appeal to me as a brave act. It does not commend itself to me as a proper thing for a State's Attorney or his assistant; for even defendants not yet hanged have some rights with an official. Cold-blooded? But I don't know, your Honor. I will discuss that a little later,—whether it was cold-blooded or not.

Cold-blooded? Why? Because they planned, and schemed, and arranged, and fixed?

Yes. But here are the officers of justice, so-called, with all the power of the State, with all the influence of the press, to fan this community into a frenzy of hate; with all of that, who for months have been planning and scheming, and contriving, and working to take these two boys' lives.

You may stand them up on the trap-door of the scaffold, and choke them to death, but that act will be infinitely more cold-blooded whether justified or not, than any act that these boys have committed or can commit.

Cold-blooded!

Let the State, who is so anxious to take these boys' lives, set an example in consideration, kindheartedness and tenderness before they call my clients cold-blooded.

I have heard this crime described; this most distressing and un-

fortunate homicide, as I would call it;—this cold-blooded murder, as the State would call it.

I call it a homicide particularly distressing because I am defending.

They call it a cold-blooded murder because they want to take human lives.

Call it what you will.

I have heard this case talked of, and I have heard these lawyers say that this is the coldest-blooded murder that the civilized world ever has known. I don't know what they include in the civilized world. I suppose Illinois. Although they talk as if they did not. But we will assume Illinois. This is the most cold-blooded murder, says the State, that ever occurred.

Now, your Honor, I have been practicing law a good deal longer than I should have, anyhow, for forty-five or forty-six years, and during a part of that time I have tried a good many criminal cases, always defending. It does not mean that I am better. It probably means that I am more squeamish than the other fellows. It means neither that I am better nor worse. It means the way I am made. I cannot help it.

I have never yet tried a case where the State's Attorney did not say that it was the most cold-blooded, inexcusable, premeditated case that ever occurred. If it was murder, there never was such a murder. If it was robbery, there never was such a robbery. If it was a conspiracy, it was the most terrible conspiracy that ever happened since the star-chamber passed into oblivion. If it was larceny, there never was such a larceny.

Now, I am speaking moderately. All of them are the worst. Why? Well, it adds to the credit of the State's Attorney to be connected with a big case. That is one thing. They can say,—

"Well, I tried the most cold-blooded murder case that ever was tried, and I convicted them, and they are dead."

"I tried the worst forgery case that ever was tried, and I won that. I never did anything that was not big."

Lawyers are apt to say that.

And then there is another thing, your Honor: Of course, I generally try cases to juries, and these adjectives always go well with

juries; bloody, cold-blooded, despicable, cowardly, dastardly, cruel, heartless,—the whole litany of the State's Attorney's office generally goes well with the jury. The twelve jurors, being good themselves, think it is a tribute to their virtue if they follow the litany of the State's Attorney.

I suppose it may have some effect with the court; I do not know. Anyway, those are the chances we take when we do our best to save life and reputation.

"Here, your clients have pleaded guilty to the most cold-blooded murder that ever took place in the history of the world. And how does a judge dare to refuse to hang by the neck until dead two cowardly ruffians who committed the coldest-blooded murder in the history of the world?"

That is a good talking point.

I want to give some attention to this cold-blooded murder, your Honor.

Was it a cold-blooded murder?

Was it the most terrible murder that ever happened in the State of Illinois?

Was it the most dastardly act in the annals of crime?

No.

I insist, your Honor, that under all fair rules and measurements, this was one of the least dastardly and cruel of any that I have known anything about.

Now, let us see how we should measure it.

They say that this was a cruel murder, the worst that ever happened. I say that very few murders ever occurred that were as free from cruelty as this.

There ought to be some rule to determine whether a murder is exceedingly cruel or not.

Of course, your Honor, I admit that I hate killing, and I hate it no matter how it is done,—whether you shoot a man through the heart, or cut his head off with an axe, or kill him with a chisel or tie a rope around his neck, I hate it. I always did. I always shall.

But, there are degrees, and if I might be permitted to make my own rules I would say that if I were estimating what was the most cruel murder, I might first consider the sufferings of the victim.

Now, probably the State would not take that rule. They would say the one that had the most attention in the newspapers. In that way they have got me beaten at the start.

But I would say the first thing to consider is the degree of pain to the victim.

Poor little Bobby Franks suffered very little. There is no excuse for his killing. If to hang these two boys would bring him back to life, I would say let them go, and I believe their parents would say so, too. But:

> The moving finger writes, and having writ,
> Moves on; nor all your piety nor wit
> Shall lure it back to cancel half a line,
> Nor all your tears wash out a word of it.

Robert Franks is dead, and we cannot call him back to life. It was all over in fifteen minutes after he got into the car, and he probably never knew it or thought of it. That does not justify it. It is the last thing I would do. I am sorry for the poor boy. I am sorry for his parents. But, it is done.

Of course I cannot say with the certainty of Mr. Savage that he would have been a great man if he had grown up. At fourteen years of age I don't know whether he would or not. Savage, I suppose, is a mind reader, and he says that he would. He has a phantasy, which is hanging. So far as the cruelty to the victim is concerned, you can scarce imagine one less cruel.

Now, what else would stamp a murder as being a most atrocious crime?

First, I put the victim, who ought not to suffer; and next, I would put the attitude of those who kill.

What was the attitude of these two boys?

It may be that the State's Attorney would think that it was particularly cruel to the victim because he was a boy.

Well, my clients are boys, too, and if it would make more serious the offense to kill a boy, it should make less serious the offense of the boys who did the killing.

What was there in the conduct of these two boys which showed a wicked, malignant, and abandoned heart beyond that of anybody else, who ever lived? Your Honor, it is simply foolish.

Everybody who thinks knows the purpose of this. Counsel knows that under all the rules of the courts they have not the slightest right to ask this court to take life. Yet they urge it upon this court by falsely characterizing this as being the cruelest act that ever occurred. What about these two boys,—the second thing that would settle whether it was cruel or not?

Mr. Marshall read case after case of murders and he said: "Why, those cases don't compare with yours. Yours is worse." Worse, why? What were those cases? Most of his cases were robbery cases,—where a man went out with a gun to take a person's money and shot him down. Some of them were cases where a man killed from spite and hatred and malice. Some of them were cases of special atrocities, mostly connected with money. A man kills someone to get money, he kills someone through hatred. What is this case?

This is a senseless, useless, purposeless, motiveless act of two boys. Now, let me see if I can prove it. There was not a particle of hate, there was not a grain of malice, there was no opportunity to be cruel except as death is cruel,—and death is cruel.

There was absolutely no purpose in it all, no reason in it all, and no motive for it all.

Now, let me see whether I am right or not.

I mean to argue this thoroughly, and it seems to me that there is no chance for a court to hesitate upon the facts in this case.

I want to try to do it honestly and plainly, and without any attempt at frills or oratory; to state the facts of this case just as the facts exist, and nothing else.

What does the State say about it?

In order to make this the most cruel thing that ever happened, of course they must have a motive. And what, do they say, was the motive?

Your Honor, if there was ever anything so foolish, so utterly futile as the motive claimed in this case, then I have never listened to it.

What did Tom Marshall say?

What did Joe Savage say?

"The motive was to get ten thousand dollars," say they.

These two boys, neither of whom needed a cent, scions of wealthy people, killed this little inoffensive boy to get ten thousand dollars?

First let us call your attention to the opening statement of Judge Crowe, where we heard for the first time the full details of this homicide after a plea of guilty.

All right. He said these two young men were heavy gamblers, and they needed the money to pay gambling debts,—or on account of gambling.

Now, your Honor, he said this was atrocious, most atrocious, and they did it to get the money because they were gamblers and needed it to pay gambling debts.

What did he prove?

He put on one witness, and one only, who had played bridge with both of them in college, and he said they played for five cents a point.

Now, I trust your Honor knows better than I do how much of a game that would be. At poker I might guess, but I know little about bridge.

But what else?

He said that in a game one of them lost ninety dollars to the other one.

They were playing against each other, and one of them lost ninety dollars?

Ninety dollars!

Their joint money was just the same; and there is not another word of evidence in this case to sustain the statement of Mr. Crowe, who pleads to hang these boys. Your Honor, is it not trifling?

It would be trifling, excepting, your Honor, that we are dealing in human life. And we are dealing in more than that; we are dealing in the future fate of two families. We are talking of placing a blot upon the escutcheon of two houses that do not deserve it for nothing. And all that they can get out of their imagination is that there was a game of bridge and one lost ninety dollars to the other, and therefore they went out and committed murder.

What would I get if on the part of the defense we should resort to a thing like that? Could I expect anyone to have the slightest confidence in anything we have said? Your Honor knows that it is utterly absurd.

The evidence was absolutely worthless. The statement was made

out of whole cloth, and Mr. Crowe felt like that policeman who came in here and perjured himself, as I will show you later on, who said that when he was talking with Nathan Leopold, Jr., he told him the public were not satisfied with the motive.

I wonder if the public is satisfied with the motive? If there is any person in Chicago who under the evidence in this case would believe that this was the motive, then he is stupid. That is all I have to say for him;—just plain stupid.

But let us go further than that. Who were these two boys? And how did it happen?

On a certain day they killed poor little Robert Franks. I will not go over the paraphernalia, the letter demanding money, the ransom, because I will discuss that later in another connection. But they killed him. These two boys. They were not to get ten thousand dollars; they were to get five thousand dollars if it worked; that is, five thousand dollars each. Neither one could get more than five, and either one was risking his neck in the job. So each one of my clients was risking his neck for five thousand dollars, if it had anything to do with it, which it did not.

Did they need the money?

Why, at this very time, and a few months before, Dickie Loeb had a three thousand dollar checking account in the bank. Your Honor, I would be ashamed to talk about this except that in all apparent seriousness they are asking to kill these two boys on the strength of this flimsy foolishness.

At that time Richard Loeb had a three thousand dollar checking account in the bank. He had three Liberty Bonds, one of which was past due, and the interest on each of them had not been collected for three years. I said, had not been collected; not a penny's interest had been collected,—and the coupons were there for three years. And yet they would ask to hang him on the theory that he committed this murder because he needed money, and for money.

In addition to that we brought his father's private secretary here, who swears that whenever he asked for it, he got a check, without ever consulting the father. She had an open order to give him a check whenever he wanted it, and she had sent him a check in February, and he had lost it and had not cashed it. So he got another in March.

Your Honor, how far would this kind of an excuse go on the part of the defense? Anything is good enough to dump into a pot where the public are clamoring, and where the stage is set and where loud-voiced young attorneys are talking about the sanctity of the law, which means killing people; anything is enough to justify a demand for hanging.

How about Leopold?

Leopold was in regular receipt of one hundred and twenty-five dollars a month; he had an automobile; paid nothing for board and clothes, and expenses; he got money whenever he wanted it, and he had arranged to go to Europe and had bought his ticket and was going to leave about the time he was arrested in this case.

He passed his examination for the Harvard Law School, and was going to take a short trip to Europe before it was time for him to attend the fall term. His ticket had been bought, and his father was to give him three thousand dollars to make the trip.

Your Honor, jurors sometimes make mistakes, and courts do, too. If on this evidence the court is to construe a motive out of this case, then I insist that human liberty is not safe and human life is not safe. A motive could be construed out of any set of circumstances and facts that might be imagined.

In addition to that, these boys' families were extremely wealthy. The boys had been reared in luxury, they had never been denied anything; no want or desire left unsatisfied; no debts; no need of money; nothing.

And yet they murdered a little boy, against whom they had nothing in the world, without malice, without reason, to get five thousand dollars each. All right. All right, your Honor, if the court believes it, if anyone believes it, I can't help it.

That is what this case rests on. It could not stand up a minute without motive. Without it, it was the senseless act of immature and diseased children, as it was; a senseless act of children, wandering around in the dark and moved by some emotion, that we still perhaps have not the knowledge or the insight into life to thoroughly understand.

Now, let me go on with it. What else do they claim?

I want to say to your Honor that you may cut out every expert

in this case, you may cut out every lay witness in this case, you may decide this case upon the facts as they appear here alone; and there is no sort of question but what these boys were mentally diseased.

I do not know, but I do not believe that there is any man who knows this case, who does not know that it can be accounted for only on the theory of the mental disease of these two lads.

First, I want to refer to something else. Mr. Marshall argues to this court that you can do no such thing as to grant us the almost divine favor of saving the lives of two boys, that it is against the law, that the penalty for murder is death; and this court, who, in the fiction of the lawyers and the judges, forgets that he is a human being and becomes a court, pulseless, emotionless, devoid of those common feelings which alone make men; that this court as a human machine must hang them because they killed.

Now, let us see. I do not need to ask mercy from this court for these clients, nor for anybody else, nor for myself; though I have never yet found a person who did not need it.

But I do not ask mercy for these boys. Your Honor may be as strict in the enforcement of the law as you please and you cannot hang these boys. You can only hang them because back of the law and back of justice and back of the common instincts of man, and back of the human feeling for the young, is the hoarse voice of the mob which says, "Kill." I need ask nothing. What is the law of Illinois?

If one is found guilty of murder in the first degree by a jury, or if he pleads guilty before a court, the court or jury may do one of three things: he may hang; he may imprison for life; or, he may imprison for a term of not less than fourteen years. Now, why is that the law?

Does it follow from the statute that a court is bound to ascertain the impossible, and must necessarily measure the degrees of guilt? Not at all. He may not be able to do it. A court may act from any reason or from no reason. A jury may fix any one of these penalties as they see fit. Why was this law passed? Undoubtedly in recognition of the growing feeling in all the forward-thinking people of the United States against capital punishment. Undoubtedly, through the deep reluctance of courts and juries to take human life.

Without any reason whatever, without any facts whatever, your Honor must make the choice, and you have the same right to make one choice as another, no matter what Mr. Justice Blackstone says. It is your Honor's province; you may do it, and I need ask nothing in order to have you do it. There is the statute. But there is more than that in this case.

We have sought to tell this court why he should not hang these boys. We have sought to tell this court, and to make this court believe, that they were diseased of mind, and that they were of tender age. However, before I discuss that, I ought to say another word in reference to the question of motive in this case. If there was no motive, except the senseless act of immature boys, then of course there is taken from this case all of the feeling of deep guilt upon the part of these defendants.

There was neither cruelty to the deceased, beyond taking his life—which is much—nor was there any depth of guilt and depravity on the part of the defendants, for it was a truly motiveless act, without the slightest feeling of hatred or revenge, done by a couple of children for no sane reason.

But, your Honor, we have gone further than that, and we have sought to show you, as I think we have, the condition of these boys' minds. Of course it is not an easy task to find out the condition of another person's mind. These experts in the main have told you that it is impossible to ascertain what the mind is, to start with; or to tell how it acts. . . .

[After arguing the absurdity of supposing that two sons of millionaires would kidnap and murder—as alleged—to get a ransom, Mr. Darrow comes to what, in his belief, is the real reason.]

Now, your Honor, who are these two boys?

Leopold, with a wonderfully brilliant mind; Loeb, with an unusual intelligence;—both from their very youth crowded like hothouse plants, to learn more and more and more. Dr. Krohn says that they are intelligent. In spite of that, it is true:—they are unusually intelligent. But it takes something besides brains to make a human being who can adjust himself to life.

In fact, as Dr. Church and as Dr. Singer regretfully admitted, brains are not the chief essential in human conduct. There is no

question about it. The emotions are the urge that makes us live; the urge that makes us work or play, or move along the pathways of life. They are the instinctive things. In fact, intellect is a late development of life. Long before it was evolved, the emotional life kept the organism in existence until death. Whatever our action is, it comes from the emotions, and nobody is balanced without them.

The intellect does not count so much. Let me call the attention of the court to two or three cases. Four or five years ago the world was startled by a story about a boy of eleven, the youngest boy ever turned out at Harvard, who had studied everything on earth and understood it; he was simply a freak. He went through Harvard much younger than anybody else. All questions of science and philosophy he could discuss with the most learned. How he got it nobody knows. It was prophesied that he would have a brilliant future. I do not know his name, and it is not necessary. In a short time the fire had burned out. He was a prodigy, with nothing but this marvelous brain power, which nobody understood or could understand. He was an intellectual freak. He never was a boy; he never will be a completed normal man. Harvard had another of the same kind some years before, unbalanced, impossible,—an intellectual machine. Nature works in mysterious ways. We have all read of Blind Tom, who was an idiot, and yet a marvelous musician. He never could understand music, and he never did understand it; he never knew anything about it; and yet he could go to the piano and play so well that people marveled and wondered. How it comes nobody can explain.

The question of intellect means the smallest part of life. Back of this are man's nerves, muscles, heart, blood, lungs—in fact, the whole organism; the brain is the least part in human development. Without the emotion-life man is nothing. How is it with these two boys? Is there any question about them?

I insist there is not the slightest question about it. All teaching and all training appeals, not only to the intellectual, but to emotional life. A child is born with no ideas of right and wrong, just with plastic brain, ready for such impressions as come to it, ready to be developed. Lying, stealing, killing are not wrong to the child. These mean nothing.

Gradually his parents and his teachers tell him things, teach him

habits, show him that he may do this and he may do that, teach him the difference betwen his and mine. No child knows this when he is born. He knows nothing about property or property rights. They are given to him as he goes along. He is like the animal that wants something and goes out and gets it, kills it, operating purely from instinct, without training.

The child is gradually taught, and habits are built up. These habits are supposed to be strong enough so that they will form inhibitions against conduct when the emotions come in conflict with the duties of life. Dr. Singer and Dr. Church, both of them, admitted exactly what I am saying now. The child of himself knows nothing about right and wrong, and the teachings built up give him habits, so he will be able to control certain instincts that surge upon him, and which surge upon everyone who lives. If the instinct is strong enough and the habit weak enough, the habit goes down before it. Both of these eminent men admit it. There can be no question about it. His conduct depends upon the relative strength of the instinct and the habit that has been built up.

Education means fixing these habits so deeply in the life of man that they stand him in stead when he needs them to keep him in the path,—and that is all it does mean. Suppose one sees a thousand dollar bill and nobody present. He may have the impulse to take it. If he does not take it, it will be because his emotional nature revolts at it, through habit and through training. If the emotional nature does not revolt at it he will do it. That is why people do not commit what we call crime; that, and caution. All education means is the building of habits so that certain conduct revolts you and stops you, saves you; but without an emotional nature you cannot do that. Some are born practically without it.

How about this case?

The state put on three alienists and Dr. Krohn. Two of them, Dr. Patrick and Dr. Church are undoubtedly able men. One of them, Dr. Church, is a man whom I have known for thirty years, and for whom I have the highest regard.

On Sunday, June 1st, before any of the friends of these boys or their counsel could see them, while they were in the care of the State's Attorney's office, they brought them in to be examined by

these alienists. I am not going to discuss that in detail as I may later on. Dr. Patrick said this:

The only thing unnatural he noted about it was that they had no emotional reactions. Dr. Church said the same. These are their alienists, not ours. These boys could tell this gruesome story without a change of countenance, without the slightest feelings. There were no emotional reactions to it. What was the reason? I do not know. How can I tell why? I know what causes the emotional life. I know it comes from the nerves, the muscles, the endocrine glands, the vegetable system. I know it is the most important part of life. I know it is practically left out of some. I know that without it men cannot live. I know that without it they cannot act with the rest. I know they cannot feel what you feel and what I feel; that they cannot feel the moral shocks which come to men who are educated and who have not been deprived of an emotional system or emotional feelings. I know it, and every person who has honestly studied this subject knows it as well. Is Dickie Loeb to blame because out of the infinite forces that conspired to form him, the infinite forces that were at work producing him ages before he was born, that because out of these infinite combinations he was born without it? If he is, then there should be a new definition for justice. Is he to blame for what he did not have and never had? Is he to blame that his machine is imperfect? Who is to blame? I do not know. I have never in my life been interested so much in fixing blame as I have in relieving people from blame. I am not wise enough to fix it. I know that somewhere, in the past that entered into him, something missed. It may be defective nerves. It may be a defective heart or liver. It may be defective endocrine glands. I know it is something. I know that nothing happens in this world without a cause.

I know, your Honor, that if you, sitting here in this court, and in this case, had infinite knowledge you could lay your fingers on it, and I know you would not visit it on Dickie Loeb. I asked Dr. Church and I asked Dr. Singer whether, if they were wise enough to know, they could not find the cause, and both of them said yes. I know that they and Loeb are just as they are, and that they did not make themselves. There are at least two theories of man's re-

sponsibility. There may be more. There is the old theory that if a man does something it is because he wilfully, purposely, maliciously and with a malignant heart sees fit to do it. And that goes back to the possession of man by devils. The old indictments used to read that a man being possessed of a devil did so and so. But why was he possessed with the devil? Did he invite him in? Could he help it? Very few half-civilized people believe that doctrine any more. Science has been at work, humanity has been at work, scholarship has been at work, and intelligent people now know that every human being is the product of the endless heredity back of him and the infinite environment around him. He is made as he is and he is the sport of all that goes before him and is applied to him, and under the same stress and storm, you would act one way and I act another, and poor Dickie Loeb another.

Dr. Church said so and Dr. Singer said so, and it is the truth. Take a normal boy, your Honor. Do you suppose he could have taken a boy into an automobile without any reason and hit him over the head and killed him? I might just as well ask you whether you thought the sun could shine at midnight in this latitude. It is not a part of normality. Something was wrong. I am asking your Honor not to visit the grave and dire and terrible misfortunes of Dickie Loeb and Nathan Leopold upon these two boys. I do not know where to place it. I know it is somewhere in the infinite economy of nature, and if I were wise enough I could find it. I know it is there, and to say that because they are as they are you should hang them, is brutality and cruelty, and savors of the fang and claw.

There can be no question on the evidence in this case. Dr. Church and Dr. Patrick both testified that these boys have no emotional reactions in reference to this crime. Every one of the alienists on both sides has told this court, what no doubt this court already knew, that the emotions furnish the urge and the drive to life. A man can get along without his intellect, and most people do, but he cannot get along without his emotions. When they did make a brain for man, they did not make it good enough to hurt, because emotions can still hold sway. He eats and he drinks, he works and plays and sleeps, in obedience to his emotional system. The intellectual part of man acts only as a judge over his emotions, and then

he generally gets it wrong, and has to rely on his instincts to save him.

These boys—I do not care what their mentality—that simply makes it worse—are emotionally defective. Every single alienist who has testified in this case has said so. The only person who did not was Dr. Krohn. While I am on that subject, lest I forget the eminent doctor, I want to refer to one or two things. In the first place, all these alienists that the State called came into the State's Attorney's office and heard these boys tell their story of this crime, and that is all they heard.

Now, your Honor is familiar with Chicago the same as I am, and I am willing to admit right here and now that the two ablest alienists in Chicago are Dr. Church and Dr. Patrick. There may be abler ones, but we lawyers do not know them.

And I will go further: If my friend Crowe had not got to them first, I would have tried to get them. There is no question about it at all. I said I would have tried to; I didn't say I would, and yet I suspect I would. And I say that, your Honor, without casting the slightest reflection on either of them, for I really have a high regard for them, and aside from that a deep friendship for Dr. Church. And, I have considerable regard for Dr. Singer. I will go no further now.

We could not get them, and Mr. Crowe was very wise, and he deserves a great deal of credit for the industry, the research and the thoroughness that he and his staff have used in detecting this terrible crime.

He worked with intelligence and rapidity. If here and there he trampled on the edges of the constitution I am not going to talk about it here. If he did it, he is not the first one in that office and probably will not be the last who will do it, so let that go. A great many people in this world believe the end justifies the means. I don't know but that I do myself. And that is the reason I never want to take the side of the prosecution, because I might harm an individual. I am sure the State will live anyhow.

On that Sunday afternoon before we had a chance, he got in two alienists, Church and Patrick, and also called Dr. Krohn, and they sat around hearing these boys tell their stories, and that is all.

Your Honor, they were not holding an examination. They were holding an inquest, and nothing else. It has not the slightest reference to, or earmarks of, an examination for sanity. It was just an inquest; a little premature, but still an inquest.

What is the truth about it? What did Patrick say? He said that it was not a good opportunity for examination. What did Church say? I read from his own book what was necessary for an examination, and he said that it was not a good opportunity for an examination. What did Krohn say? "Fine—a fine opportunity for an examination," the best he had ever heard of, or that ever anybody had, because their souls were stripped naked. Krohn is not an alienist. He is an orator. He said, because their souls were naked to them. Well, if Krohn's was naked, there would not be much to show. But Patrick and Church said that the conditions were unfavorable for an examination, that they never would choose it, that their opportunities were poor. And yet Krohn states the contrary—Krohn, who by his own admissions, for sixteen years has not been a physician, but has used a license for the sake of haunting these courts, civil and criminal, and going up and down the land peddling perjury. He has told your Honor what he has done, and there is scarcely a child on the street who does not know it, there is not a judge in the court who does not know it; there is not a lawyer at the bar who does not know it; there is not a physician in Chicago who does not know it; and I am willing to stake the lives of these two boys on the court knowing it, and I will throw my own in for good measure. What else did he say, in which the State's alienists dispute him?

Both of them say that these boys showed no adequate emotion. Krohn said they did. One boy fainted. They had been in the hands of the State's Attorney for sixty hours. They had been in the hands of policemen, lawyers, detectives, stenographers, inquisitors and newspaper men for sixty hours, and one of them fainted. Well, the only person who is entirely without emotion is a dead man. You cannot live without breathing and some emotional responses. Krohn says: "Why, Loeb had emotion. He was polite; begged our pardon; got up from his chair"; even Dr. Krohn knows better than that. I fancy if your Honor goes into an elevator where there is a lady he takes off his hat. Is that out of emotion for the lady or is it

habit? You say, "Please," and "thank you," because of habit. Emotions haven't the slightest thing to do with it. Mr. Leopold has good manners. Mr. Loeb has good manners. They have been taught them. They have lived them. That does not mean that they are emotional. It means training. That is all it means. And Dr. Krohn knew it.

Krohn told the story of this interview and he told almost twice as much as the other two men who sat there and heard it. And how he told it—how he told it!

When he testified my mind carried me back to the time when I was a kid, which was some years ago, and we used to eat watermelons. I have seen little boys take a rind of watermelon and cover their whole faces with water, eat it, devour it, and have the time of their lives, up to their ears in watermelon. And when I heard Dr. Krohn testify in this case, to take the blood of these two boys, I could see his mouth water with the joy it gave him, and he showed all the delight and pleasure of myself and my young companions when we ate watermelon.

I can imagine a psychiatrist, a real one who knows the mechanism of man, who knows life and its machinery, who knows the misfortunes of youth, who knows the stress and the strain of adolescence which comes to every boy and overpowers so many, who knows the weird fantastic world that hedges around the life of a child—I can imagine a psychiatrist who might honestly think that under the crude definitions of the law the defendants were sane and know the difference between right and wrong. But if he were a real physician, whose mission is the highest that man can follow, to save life and minister to human suffering—to save life regardless of what the life is—to prevent suffering, regardless of whose suffering it is—and no mission could be higher than that—that if this was his mission, instead of testifying in court; and if he were called on for an opinion that might send his fellowman to doom, I can imagine him doing it. I can imagine him doing it reluctantly, carefully, modestly, timorously, fearfully, and being careful that he did not turn one hair to the right or left more than he should, and giving the advantage in favor of life and humanity and mercy, but I can never imagine a real physician who cared for life or who thought

of anything except cash, gloating over his testimony, as Dr. Krohn did in this case.

Without any consideration of the lives and the training of these boys, without any evidence from experts, I have tried to make a plain statement of the facts of this case, and I believe, as I have said repeatedly, that no one can honestly study the facts and conclude that anything but diseased minds was responsible for this terrible act. Let us see how far we can account for it, your Honor.

So far we have determined whether men are diseased of mind or normal from their conduct alone. This line of conduct shows disease and that line of conduct shows normality. We have not been able with any satisfaction to peer into the brain and see its workings; to analyze the human system and see where it has gone awry. Science is doing something, but so far has done little, and we have been compelled to make up our minds from conduct as to the condition of the minds of men.

The mind, of course, is an illusive thing. Whether it exists or not no one can tell. It cannot be found as you find the brain. Its relation to the brain and the nervous system is uncertain. It simply means the activity of the body, which is co-ordinated with the brain. But when we do find from human conduct that we believe there is a diseased mind, we naturally speculate on how it came about. And we wish to find always, if possible, the reason why it is so. We may find it; we may not find it; because the unknown is infinitely wider and larger than the known, both as to the human mind and as to almost everything else in the Universe.

It has not been so very long since the insane were supposed to be possessed of devils, and since criminals were supposed to be possessed of devils, when wise men solved intricate questions by saying that devils possessed human beings. It has not been so very long since it was supposed that diseased persons were possessed of devils, which must be driven out to cure the disease. We have gone further than this. We understand that there is some connection between the workings of the mind and the working of the body. We understand something of the physical basis of life. We understand something of the intricate mechanism which may fail in some minute part and cause such serious havoc in human conduct.

I have tried to study the lives of these two most unfortunate boys. Three months ago, if their friends and the friends of the family had been asked to pick out the most promising lads of their acquaintance, they probably would have picked these two boys. With every opportunity, with plenty of wealth, they would have said that those two would succeed.

In a day, by an act of madness, all this is destroyed, until the best they can hope for now is a life of silence and pain, continuing to the end of their years.

How did it happen?

Let us take Dickie Loeb first.

I do not claim to know how it happened; I have sought to find out. I know that something, or some combination of things, is responsible for his mad act. I know that there are no accidents in nature. I know that effect follows cause. I know that, if I were wise enough, and knew enough about this case, I could lay my finger on the cause. I will do the best I can, but it is largely speculation.

The child, of course, is born without knowledge.

Impressions are made upon its mind as it goes along. Dickie Loeb was a child of wealth and opportunity. Over and over in this court your Honor has been asked, and other courts have been asked, to consider boys who have no chance; they have been asked to consider the poor, whose home had been the street, with no education and no opportunity in life, and they have done it, and done it rightfully.

But your Honor, it is just as often a great misfortune to be the child of the rich as it is to be the child of the poor. Wealth has its misfortunes. Too much, too great opportunity and advantage given to a child has its misfortunes, and I am asking your Honor to consider the rich as well as the poor (and nothing else). Can I find what was wrong? I think I can. Here was a boy at a tender age, placed in the hands of a governess, intellectual, vigorous, devoted, with a strong ambition for the welfare of this boy. He was pushed in his studies, as plants are forced in hot-houses. He had no pleasures, such as a boy should have, except as they were gained by lying and cheating. Now, I am not criticizing the nurse. I suggest that some day your Honor look at her picture. It explains her fully.

Forceful, brooking no interference, she loved the boy, and her ambition was that he should reach the highest perfection. No time to pause, no time to stop from one book to another, no time to have those pleasures which a boy ought to have to create a normal life. And what happened? Your Honor, what would happen? Nothing strange or unusual. This nurse was with him all the time, except when he stole out at night, from two to fourteen years of age, and it is instructive to read her letter to show her attitude. It speaks volumes; tells exactly the relation between these two people. He, scheming and planning as healthy boys would do, to get out from under her restraint. She, putting before him the best books, which children generally do not want; and he, when she was not looking, reading detective stories, which he devoured, story after story, in his young life. Of all of this there can be no question. What is the result? Every story he read was a story of crime. We have a statute in this state, passed only last year, if I recall it, which forbids minors reading stories of crime. Why? There is only one reason. Because the legislature in its wisdom felt that it would produce criminal tendencies in the boys who read them. The legislature of this state has given its opinion, and forbidden boys to read these books. He read them day after day. He never stopped. While he was passing through college at Ann Arbor he was still reading them. When he was a senior he read them, and almost nothing else.

Now, these facts are beyond dispute. He early developed a tendency to mix with crime, to be a detective; as a little boy shadowing people on the street; as a little child going out with his phantasy of being the head of a band of criminals and directing them on the street. How did this grow and develop in him? Let us see. It seems to me as natural as the day following the night. Every detective story is a story of a sleuth getting the best of it; trailing some unfortunate individual through devious ways until his victim is finally landed in jail or stands on the gallows. They all show how smart the detective is, and where the criminal himself falls down.

This boy early in his life conceived the idea that there could be a perfect crime, one that nobody could ever detect; that there could be one where the detective did not land his game; a perfect crime. He had been interested in the story of Charley Ross, who was kid-

napped. He was interested in these things all his life. He believed in his childish way that a crime could be so carefully planned that there would be no detection, and his idea was to plan and accomplish a perfect crime. It would involve kidnapping, and involve murder. I might digress here just a moment, because my friend Savage spoke about two crimes that were committed here—kidnapping and murder. That is, the court should hang them twice—once for each. There are more than two committed here. There are more than two crimes committed in almost every capital act.

An attempt to extort money was committed. A conspiracy to do each one was committed. Carrying firearms was committed. I could probably mention half a dozen if I tried, but it is all one thing, and counsel knows it is all one thing.

Is there anything new in criminal practice?

Why, your Honor, we have it every day in these courts. In almost any important crime the State's Attorney can write indictments as long as the paper lasts, not only counts, but indictments. Take a case of burning a building for insurance. (Two people.) There is a crime of arson. There is the crime of burning a building to defraud an insurance company. There is conspiracy to commit arson. There is conspiracy to burn a building to defraud an insurance company. And I might mention others, all in the one act. Burglary and larceny includes a number of crimes, especially if there are two or more persons involved. It is nothing new. This was really one offense and one only. They could have made six out of it, or one out of it, or two out of it. But it is only one thing. Just like any other important crime.

They wanted to commit a perfect crime. There had been growing in his brain, dwarfed and twisted—as every act in this case shows it to have been dwarfed and twisted—there had been growing this scheme, not due to any wickedness of Dickie Loeb, for he is a child. It grew as he grew; it grew from those around him; it grew from the lack of the proper training until it possessed him. He believed he could beat the police. He believed he could plan the perfect crime. He had thought of it and talked of it for years. Had talked of it as a child; had worked at it as a child, and this sorry act of his, utterly irrational and motiveless, a plan to commit a perfect

crime which must contain kidnapping, and there must be ransom, or else it could not be perfect, and they must get the money.

The state itself in opening this case said that it was largely for experience and for a thrill, which it was. In the end the state switched it on to the foolish reason of getting cash.

Every fact in this case shows that cash had almost nothing to do with it, except as a factor in the perfect crime; and to commit the perfect crime there must be a kidnapping, and a kidnapping where they could get money, and that was all there was of it. Now, these are the two theories of this case, and I submit, your Honor, under the facts in this case, that there can be no question but that we are right. This phantasy grew in the mind of Dickie Loeb almost before he began to read. It developed as a child just as kleptomania has developed in many a person and is clearly recognized by the courts. He went from one thing to another—in the main insignificant, childish things. Then, the utterly foolish and stupid and unnecessary thing of going to Ann Arbor to steal from a fraternity house, a fraternity of which he was a member. And, finally, the planning for this crime. Murder was the least part of it; to kidnap and get the money, and kill in connection with it; that was the childish scheme growing up in these childish minds. And they had it in mind for five or six months—planning what? Planning where every step was foolish and childish; acts that could have been planned in an hour or a day; planning this, and then planning that, changing this and changing that; the weird actions of two mad brains.

Counsel have laughed at us for talking about phantasies and hallucinations. They have laughed at us in one breath, but admitted it in another. Let us look at that for a moment, your Honor. Your Honor has been a child. I well remember that I have been a child. And while youth has its advantages, it has its grievous troubles. There is an old prayer, "Though I grow old in years, let me keep the heart of a child." The heart of a child with its abundant life, its disregard for consequences, its living in the moment, and for the moment alone; its lack of responsibility, and its freedom from care.

The law knows and has recognized childhood for many and many a long year. What do we know about childhood? The brain of the child is the home of dreams, of castles, of visions, of illusions and

of delusions. In fact, there could be no childhood without delusions, for delusions are always more alluring than facts. Delusions, dreams and hallucinations are a part of the warp and woof of childhood. You know it and I know it. I remember, when I was a child, the men seemed as tall as the trees, the trees as tall as the mountains. I can remember very well when, as a little boy, I swam the deepest spot in the river for the first time. I swam breathlessly, and landed with as much sense of glory and triumph as Julius Cæsar felt when he led his army across the Rubicon. I have been back since, and I can almost step across the same place, it seemed an ocean then. And those men whom I thought were so wonderful were dead and left nothing behind. I had lived in a dream. I had never known the real world which I met, to my discomfort and despair, and that dispelled the illusions of my youth.

The whole life of childhood is a dream and an illusion, and whether they take one shape or another shape depends not upon the dreamy boy but on what surrounds him. As well might I have dreamed of burglars and wished to be one as to dream of policemen and wished to be one. Perhaps I was lucky, too, that I had no money. We have grown to think that the misfortune is in not having it. The great misfortune in this terrible case is the money. That has destroyed their lives. That has fostered these illusions. That has promoted this mad act. And, if your Honor shall doom them to die, it will be because they are the sons of the rich.

Do you suppose that if they lived up here on the Northwest Side and had no money, with the evidence as clear in this case as it is, that any human being would want to hang them? Excessive wealth is a grievous misfortune in every step in life. When I hear foolish people, when I read malicious newspapers talking of excessive fees in this case, it makes me ill. That there is nothing bigger in life, that it is presumed that no man lives to whom money is not the first concern, that human instincts, sympathy and kindness and charity and logic can only be used for cash. It shows how deeply money has corrupted the hearts of most men.

Now, to get back to Dickie Loeb. He was a child. The books he read by day were not the books he read by night. We are all of us moulded somewhat by the influences around us (and of those), to

people who read, perhaps books are the greatest and the strongest influences.

I know where my life has been moulded by books, amongst other things. We all know where our lives have been influenced by books. The nurse, strict and jealous and watchful, gave him one kind of books; by night he would steal off and read the other.

Which, think you, shaped the life of Dickie Loeb? Is there any kind of question about it? A child: Was it pure maliciousness? Was a boy of five or six or seven to blame for it? Where did he get it? He got it where we all get our ideas, and these books became a part of his dreams and a part of his life, and as he grew up his visions grew to hallucinations.

He went out on the street and fantastically directed his companions, who were not there, in their various moves to complete the perfect crime. Can there be any sort of question about it?

Suppose, your Honor, that instead of this boy being here in this court, under the plea of the state that your Honor shall pronounce a sentence to hang him by the neck until dead, he had been taken to a pathological hospital to be analyzed, and the physicians had inquired into his case, what would they have said? There is only one thing that they could possibly have said. They would have traced everything back to the gradual growth of the child.

That is not all there is about it. Youth is hard enough. The only good thing about youth is that it has no thought and no care; and how blindly we can do things when we are young!

Where is the man who has not been guilty of delinquencies in youth? Let us be honest with ourselves. Let us look into our own hearts. How many men are there today—lawyers and congressmen and judges, and even State's Attorneys—who have not been guilty of some mad act in youth? And if they did not get caught, or the consequences were trivial, it was their good fortune.

We might as well be honest with ourselves, your Honor. Before I would tie a noose around the neck of a boy I would try to call back into my mind the emotions of youth. I would try to remember what the world looked like to me when I was a child. I would try to remember how strong were these instinctive, persistent emotions that moved my life. I would try to remember how weak and ineffi-

cient was youth in the presence of the surging, controlling feelings of the child. One that honestly remembers and asks himself the question and tries to unlock the door that he thinks is closed, and calls back the boy, can understand the boy.

But, your Honor, that is not all there is to boyhood. Nature is strong and she is pitiless. She works in her own mysterious way, and we are her victims. We have not much to do with it ourselves. Nature takes this job in hand, and we play our parts. In the words of old Omar Khayaam, we are only

> Impotent pieces in the game He plays
> Upon this checkerboard of nights and days,
> Hither and thither moves, and checks, and slays,
> And one by one back in the closet lays.

What had this boy to do with it? He was not his own father; he was not his own mother; he was not his own grandparents. All of this was handed down to him. He did not surround himself with governesses and wealth. He did not make himself. And yet he is to be compelled to pay.

There was a time in England, running down as late as the beginning of the last century, when judges used to convene court and call juries to try a horse, a dog, a pig, for crime. I have in my library a story of a judge and jury and lawyers trying and convicting an old sow for lying down on her ten pigs and killing them.

What does it mean? Animals were tried. Do you mean to tell me that Dickie Loeb had any more to do with his making than any other product of heredity that is born upon the earth?

At this period of life it is not enough to take a boy—your Honor, I wish I knew when to stop talking about this question that always has interested me so much—it is not enough to take a boy filled with his dreams and his phantasies and living in an unreal world, but the age of adolescence comes on him with all the rest.

What does he know? Both these boys are in the adolescent age; both these boys, as every alienist in this case on both sides tells you, are in the most trying period of the life of a child; both these boys, when the call of sex is new and strange; both these boys, at a time seeking to adjust their young lives to the world, moved by the

strongest feelings and passions that have ever moved men; both these boys, at the time boys grow insane, at the time crimes are committed; all of this is added to all the rest of the vagaries of their lives. Shall we charge them with full responsibility that we may have a hanging? That we may deck Chicago in a holiday garb and let the people have their fill of blood; that you may put stains upon the heart of every man, woman and child on that day, and that the dead walls of Chicago will tell the story of the shedding of their blood?

For God's sake, are we crazy? In the fact of history, of every line of philosophy, against the teaching of every religionist and seer and prophet the world has ever given us, we are still doing what our barbaric ancestors did when they came out of the caves and the woods.

From the age of fifteen to the age of twenty or twenty-one, the child has the burden of adolescence, of puberty and sex thrust upon him. Girls are kept at home and carefully watched. Boys without instruction are left to work the period out for themselves. It may lead to excess. It may lead to disgrace. It may lead to perversion. Who is to blame? Who did it? Did Dickie Loeb do it?

Your Honor, I am almost ashamed to talk about it. I can hardly imagine that we are in the 20th Century. And yet there are men who seriously say that for what Nature has done, for what life has done, for what training has done, you should hang these boys.

Now, there is no mystery about this case, your Honor. I seem to be criticizing these parents. They had parents who were kind and good and wise in their way. But I say to you seriously that the parents are more responsible than these boys. And yet few boys had better parents.

Your Honor, it is the easiest thing in the world to be a parent. We talk of motherhood, and yet every woman can be a mother. We talk of fatherhood, and yet every man can be a father. Nature takes care of that. It is easy to be a parent. But to be wise and far-seeing enough to understand the boy is another thing; only a very few so wise and so far-seeing as that. When I think of the light way nature has of picking out parents and populating the earth, having them born and die, I cannot hold human beings to the same degree of responsibility that young lawyers hold them when they are enthusiastic

in a prosecution. I know what it means. I know there are no better citizens in Chicago than the fathers of these poor boys.

I know there were no better women than their mothers. But I am going to be honest with this court, if it is at the expense of both. I know that one of two things happened to Richard Loeb; that this terrible crime was inherent in his organism, and came from some ancestor, or that it came through his education and his training after he was born. Do I need to prove it? Judge Crowe said at one point in this case, when some witness spoke about their wealth, that "probably that was responsible."

To believe that any boy is responsible for himself or his early training is an absurdity that no lawyer or judge should be guilty of today. Somewhere this came to this boy. If his failing came from his heredity, I do not know where or how. None of us are bred perfect and pure, and the color of our hair, the color of our eyes, our stature, the weight and fineness of our brain, and everything about us could, with full knowledge, be traced with absolute certainty to somewhere; if we had the pedigree it could be traced just the same in a boy as it could in a dog, a horse or cow.

I do not know what remote ancestors may have sent down the seed that corrupted him, and I do not know through how many ancestors it may have passed until it reached Dickie Loeb.

All I know is that it is true, and there is not a biologist in the world who will not say that I am right.

If it did not come that way, then I know that if he was normal, if he had been understood, if he had been trained as he should have been it would not have happened. Not that anybody may not slip, but I know it and your Honor knows it, and every school house and church in the land is an evidence of it. Else why build them?

Every effort to protect society is an effort toward training the youth to keep the path. Every bit of training in the world proves it, and it likewise proves that it sometimes fails. I know that if this boy had been understood and properly trained—properly for him —and the training that he got might not have been the very best for someone else; but if it had been the proper training for him he would not be in this court room today with the noose above his head. If there is responsibility anywhere, it is back of him; some-

where in the infinite number of his ancestors, or in his surroundings, or in both. And I submit, your Honor, that under every principle of natural justice, under every principle of conscience, of right, and of law, he should not be made responsible for the acts of someone else.

I say this again, without finding fault with his parents, for whom I have the highest regard, and who doubtless did the best they could. They might have done better if they had not had so much money. I do not know. Great wealth often curses all who touch it.

This boy was sent to school. His mind worked; his emotions were dead. He could learn books, but he read detective stories. There never was a time since he was old enough to move back and forth, according to what seemed to be his volition, when he was not haunted with these phantasies.

The State made fun of Dr. White, the ablest and, I believe, the best psychiatrist in America today, for speaking about this boy's mind running back to the Teddy bears he used to play with, and in addressing somebody he was wont to say, "You know, Teddy——"

Well, your Honor, is it nothing but the commonplace action of the commonplace child or the ordinary man? A set of emotions, thoughts, feelings take possession of the mind and we find them recurring and recurring over and over again.

I catch myself many and many a time repeating phrases of my childhood, and I have not quite got into my second childhood yet. I have caught myself doing this while I still could catch myself. It means nothing. We may have all the dreams and visions and build all the castles we wish, but the castles of youth should be discarded with youth, and when they linger to the time when boys should think wiser things, then it indicates a diseased mind. "When I was young I thought as a child, I spoke as a child, I understood as a child; but now I have put off childish things," said the Psalmist twenty centuries ago. It is when these dreams of boyhood, these phantasies of youth still linger, and the growing boy is still a child—a child in emotion, a child in feeling, a child in hallucinations—that you can say that it is the dreams and the hallucinations of childhood that are responsible for his conduct. There is not an act in all this horrible tragedy that was not the act of a child, the act of a child

wandering around in the morning of life, moved by the new feelings of a boy, moved by the uncontrolled impulses which his teaching was not strong enough to take care of, moved by the dreams and the hallucinations which haunt the brain of a child. I say, your Honor, that it would be the height of cruelty, of injustice, of wrong and barbarism to visit the penalty upon this poor boy.

Your Honor, again I want to say that all parents can be criticized; likewise grandparents and teachers. Science is not so much interested in criticizm as in finding causes. Some time education will be more scientific. Some time we will try to know the boy before we educate him and as we educate him. Some time we will try to know what will fit the individual boy, instead of putting all boys through the same course, regardless of what they are.

This boy needed more of home, more love, more directing. He needed to have his emotions awakened. He needed guiding hands along the serious road that youth must travel. Had these been given him, he would not be here today.

Now, your Honor, I want to speak of the other lad, Babe. Babe is somewhat older than Dick, and is a boy of remarkable mind—away beyond his years. He is a sort of freak in this direction, as in others; a boy without emotions, a boy obsessed of philosophy, a boy obsessed of learning, busy every minute of his life.

He went through school quickly; he went to college young; he could learn faster than almost everybody else. His emotional life was lacking, as every alienist and witness in this case excepting Dr. Krohn has told you. He was just a half boy, an intellect, an intellectual machine going without balance and without a governor, seeking to find out everything there was in life intellectually; seeking to solve every philosophy, but using his intellect only.

Of course his family did not understand him; few men would. His mother died when he was young; he had plenty of money; everything was given to him that he wanted; Both these boys with unlimited money; both these boys with automobiles; both of these boys with every luxury around them and in front of them. They grew up in this environment.

Babe took up philosophy. I call him Babe, not because I want it to affect your Honor, but because everybody else does. He is the

youngest of the family and I suppose that is why he got his nickname. We will call him a man. Mr. Crowe thinks it is easier to hang a man than a boy, and so I will call him a man if I can think of it.

He grew up in this way. He became enamoured of the philosophy of Nietzsche.

Your Honor, I have read almost everything that Nietzsche ever wrote. He was a man of a wonderful intellect; the most original philosopher of the last century. A man who probably has made a deeper imprint on philosophy than any other man within a hundred years, whether right or wrong. More books have been written about him than probably all the rest of the philosophers in a hundred years. More college professors have talked about him. In a way he has reached more people, and still he has been a philosopher of what we might call the intellectual cult. Nietzsche believed that some time the superman would be born, that evolution was working toward the superman.

He wrote one book, "Beyond Good and Evil," which was a criticizm of all moral codes as the world understands them; a treatise holding that the intelligent man is beyond good and evil; that the laws for good and the laws for evil do not apply to those who approach the superman. He wrote on the will to power. He wrote some ten or fifteen volumes on his various philosophical ideas. Nathan Leopold is not the only boy who has read Nietzsche. He may be the only one who was influenced in the way that he was influenced.

I have just made a few short extracts from Nietzsche, that show the things that Nathan read and which no doubt influenced him. These extracts are short and taken almost at random.

It is not how this would affect you. It is not how it would affect me. The question is how it did affect the impressionable, visionary, dreamy mind of a boy.

At seventeen, at sixteen, at eighteen, while healthy boys were playing baseball or working on the farm, or doing odd jobs, he was reading Nietzsche, a boy who never should have seen it, at that early age. Babe was obsessed of it, and here are some of the things which Nietzsche taught:

"Who so soft, oh, my brethren? Why so soft, so unresisting and

yielding? Why is there so much disavowal and abnegation in your heart? Why is there so little fate in your looks? For all creators are hard, and it must seem blessedness unto you to press your hand upon millenniums and upon wax. This new table, oh, my brethren, I put over you. Become hard. To be obsessed by moral consideration presupposes a very low grade of intellect. We should substitute for morality the will to our own end, and consequently to the means to accomplish that.

"A great man, a man that nature has built up and invented in a grand style, is colder, harder, less cautious and more free from the fear of public opinion. He does not possess the virtues which are compatible with respectability, with being respected, nor any of those things which are counted among the virtues of the hard."

Nietzsche held a contemptuous, scornful attitude to all those things which the young are taught as important in life; a fixing of new values which are not the values by which any normal child has ever yet been reared—a philosophical dream, containing more or less truth, that was not meant by any one to be applied to life.

Again he says:

"The morality of the master class is irritating to the taste of the present day because of its fundamental principle that a man has obligation only to his equals; that he may act to all of lower rank and to all that are foreign, as he pleases."

In other words, man has no obligations; he may do with all other men and all other boys, and all society, as he pleases—the superman was a creation of Nietzsche, but it has permeated every college and university in the civilized world.

Again, quoting from a professor of a university:

"Although no perfect superman has yet appeared in history, Nietzsche's types are to be found in the world's great figures—Alexander, Napoleon—in the wicked heroes such as the Borgias, Wagner's Siegfried and Ibsen's Brand—and the great cosmopolitan intellects such as Goethe and Stendahl. These were the gods of Nietzsche's idolatry.

"The superman-like qualities lie not in their genius, but in their freedom from scruple. They rightly felt themselves to be above the law. What they thought was right, not because sanctioned by any

law, beyond themselves, but because they did it. So the superman will be a law unto himself. What he does will come from the will and superabundant power within him."

Your Honor, I could read for a week from Nietzsche, all to the same purpose, and to the same end.

Counsel have said that because a man believes in murder that does not excuse him.

Quite right. But this is not a case like the anarchists case, where a number of men, perhaps honestly believing in revolution and knowing the consequences of their act and knowing its illegal character, were held responsible for murder.

Of course the books are full of statements that the fact that a man believes in committing a crime does not excuse him.

That is not this case, and counsel must know that it is not this case. Here is a boy at sixteen or seventeen becoming obsessed with these doctrines. There isn't any question about the facts. Their own witnesses tell it and every one of our witnesses tell it. It was not a casual bit of philosophy with him; it was his life. He believed in a superman. He and Dickie Loeb were the supermen. There might have been others, but they were two, and two chums. The ordinary commands of society were not for him.

Many of us read this philosophy but know that it has no actual application to life; but not he. It became a part of his being. It was his philosophy. He lived it and practiced it; he thought it applied to him, and he could not have believed it excepting that it either caused a diseased mind or was the result of a diseased mind.

Now let me call your attention hastily to just a few facts in connection with it. One of the cases is a New York case, where a man named Freeman became obsessed in a very strange way of religious ideas. He read the story of Isaac and Abraham and he felt a call that he must sacrifice his son. He arranged an altar in his parlor. He converted his wife to the idea. He took his little babe and put it on the altar and cut its throat. Why? Because he was obsessed of that idea. Was he sane? Was he normal? Was his mind diseased? Was this poor fellow responsible? Not in the least. And he was acquitted because he was the victim of a delusion. Men are largely

what their ideas make them. Boys are largely what their ideas make them.

Here is a boy who by day and by night, in season and out, was talking of the superman, owing no obligations to anyone; whatever gave him pleasure he should do, believing it just as another man might believe a religion or any philosophical theory.

You remember that I asked Dr. Church about these religious cases and he said "Yes, many people go to the insane asylum on account of them," that "they place a literal meaning on parables and believe them thoroughly." I asked Dr. Church, whom I again say I believe to be an honest man, and an intelligent man—I asked him whether the same thing might be done or might come from a philosophical belief, and he said, "If one believed it strongly enough."

And I asked him about Nietzsche. He said he knew something of Nietzsche, something of his responsibility for the war, for which perhaps he was not responsible. He said he knew something about his doctrines. I asked him what became of him, and he said he was insane for fifteen years just before the time of his death. His very doctrine is a species of insanity.

Here is a man, a wise man—perhaps not wise, but brilliant—a thoughtful man who has made his impress upon the world. Every student of philosophy knows him. His own doctrines made him a maniac. And here is a young boy, in the adolescent age, harassed by everything that harasses children, who takes this philosophy and believes it literally. It is a part of his life. It is his life. Do you suppose this mad act could have been done by him in any other way? What could he have to win from this homicide?

A boy with a beautiful home, with automobiles, a graduate of college, going to Europe, and then to study law at Harvard; as brilliant in intellect as any boy that you could find; a boy with every prospect that life might hold out to him; and yet he goes out and commits this weird, strange, wild, mad act, that he may die on the gallows or live in a prison cell until he dies of old age or disease.

He did it, obsessed of an idea, perhaps to some extent influenced

by what has not developed publicly in this case—perversions that were present in the boy. Both signs of insanity, both, together with this act, proving a diseased mind.

Is there any question about what was responsible for him?

What else could be? A boy in his youth, with every promise that the world could hold out before him—wealth and position and intellect, yes, genius, scholarship, nothing that he could not obtain, and he throws it away, and mounts the gallows or goes into a cell for life. It is too foolish to talk about. Can your Honor imagine a sane brain doing it? Can you imagine it coming from anything but a diseased mind? Can you imagine it is any part of normality? And yet, your Honor, you are asked to hang a boy of his age, abnormal, obsessed of dreams and visions, a philosophy that destroyed his life, when there is no sort of question in the world as to what caused his downfall.

Now, I have said that, as to Loeb, if there is anybody to blame it is back of him. Your Honor, lots of things happen in this world that nobody is to blame for. In fact, I am not very much for settling blame myself. If I could settle the blame on somebody else for this special act, I would wonder why that somebody else did it, and I know if I could find that out, I would move it back still another peg.

I know, your Honor, that every atom of life in all this universe is bound up together. I know that a pebble cannot be thrown into the ocean without disturbing every drop of water in the sea. I know that every life is inextricably mixed and woven with every other life. I know that every influence, conscious and unconscious, acts and reacts on every living organism, and that no one can fix the blame. I know that all life is a series of infinite chances, which sometimes result one way and sometimes another. I have not the infinite wisdom that can fathom it, neither has any other human brain. But I do know that if back of it is a power that made it, that power alone can tell, and if there is no power, then it is an infinite chance, which man cannot solve.

Why should this boy's life be bound up with Frederick Nietzsche, who died thirty years ago, insane, in Germany? I don't know.

I only know it is. I know that no man who ever wrote a line

that I read failed to influence me to some extent. I know that every life I ever touched influenced me, and I influenced it; and that it is not given to me to unravel the infinite causes and say, "This is I, and this is you." I am responsible for so much; and you are responsible for so much. I know—I know that in the infinite universe everything has its place and that the smallest particle is a part of all. Tell me that you can visit the wrath of fate and chance and life and eternity upon a nineteen-year-old-boy! If you would, justice would be a travesty and mercy a fraud.

I might say further about Nathan Leopold—where did he get this philosophy?—at college? He did not make it, your Honor. He did not write these books, and I will venture to say there are at least ten thousand books on Nietzsche and his philosophy. I never counted them, but I will venture to say that there are that many in the libraries of the world.

No other philosopher ever caused the discussion that Nietzsche has caused. There is no university in the world where the professors are not familiar with Nietzsche; not one. There is not an intellectual man in the world whose life and feelings run to philosophy, who is not more or less familiar with the Nietzschean philosophy. Some believe it, and some do not believe it. Some read it as I do, and take it as a theory, a dream, a vision, mixed with good and bad, but not in any way related to human life. Some take it seriously. The universities perhaps do not all teach it, for perhaps some teach nothing in philosophy; but they give the boys the books of the masters, and tell they what they taught, and discuss the doctrines.

There is not a university in the world of any high standing where the professors do not tell you about Nietzsche, and discuss it, or where the books cannot be found.

I will guarantee that you can go down to the University of Chicago today—into its big library—and find over a thousand volumes on Nietzsche, and I am sure I speak moderately. If this boy is to blame for this, where did he get it? Is there any blame attaches because somebody took Nietzsche's philosophy seriously and fashioned his life on it? And there is no question in this case but what it is true. Then who is to blame? The university would be more to blame

than he is. The scholars of the world would be more to blame than he is. The publishers of the world—and Nietzsche's books are published by one of the biggest publishers in the world—are more to blame than he. Your Honor, it is hardly fair to hang a nineteen-year-old boy for the philosophy that was taught him at the university.

Now, I do not want to be misunderstood about this. Even for the sake of saving the lives of my clients, I do not want to be dishonest, and tell the court something that I do not honestly think in this case. I do not believe that the universities are to blame. I do not think they should be held responsible, I do think, however, that they are too large, and that they should keep a closer watch, if possible, upon the individual. But, you cannot destroy thought because, forsooth, some brain may be deranged by thought. It is the duty of the university, as I conceive it, to be the great storehouse of the wisdom of the ages, and to let students go there, and learn, and choose. I have no doubt but that it has meant the death of many; that we cannot help. Every changed idea in the world has had its consequences. Every new religious doctrine has created its victims. Every new philosophy has caused suffering and death. Every new machine has carved up men while it served the world. No railroad can be built without the destruction of human life. No great building can be erected but that unfortunate workmen fall to the earth and die. No great movement that does not bear its toll of life and death; no great ideal but does good and harm, and we cannot stop because it may do harm.

I have no idea in this case that this act would ever have been committed or participated in by him excepting for the philosophy which he had taken literally, which belonged to older boys and older men, and which no one can take literally and practice literally and live. So, your Honor, I do not mean to unload this act on that man or this man, or this organization or that organization. I am trying to trace causes. I am trying to trace them honestly. I am trying to trace them with the light I have. I am trying to say to this court that these boys are not responsible for this; and that their act was due to this and this, and this and this; and asking this court not to visit the judgment of its wrath upon them for things for which they are not to blame.

There is something else in this case, your Honor, that is stronger still. There is a large element of chance in life. I know I will die. I don't know when; I don't know how; I don't know where; and I don't want to know. I know it will come. I know that it depends on infinite chances. Do I live to myself? Did I make myself? And control my fate? Can I fix my death unless I suicide—and I cannot do that because the will to live is too strong; I know it depends on infinite chances.

Take the rabbit running through the woods; a fox meets him at a certain fence. If the rabbit had not started when it did, it would not have met the fox and would have lived longer. If the fox had started later or earlier it would not have met the rabbit and its fate would have been different.

My death will depend upon chances. It may be by the taking in of a germ; it may be a pistol; it may be the decaying of my faculties, and all that makes life; it may be a cancer; it may be any one of an indefinite number of things, and where I am at a certain time, and whether I take in that germ, and the condition of my system when I breathe is an accident which is sealed up in the book of fate and which no human being can open.

These boys, neither one of them, could possibly have committed this act excepting by coming together. It was not the act for one; it was the act of two. It was the act of their planning, their conniving, their believing in each other; their thinking themselves supermen. Without it they could not have done it. It would not have happened. Their parents happened to meet, these boys happened to meet; some sort of chemical alchemy operated so that they cared for each other, and poor Bobby Franks' dead body was found in the culvert as a result. Neither of them could have done it alone.

I want to call your attention, your Honor, to the two letters in this case which settle this matter to my mind conclusively; not only the condition of these boys' minds, but the terrible fate that overtook them.

Your Honor, I am sorry for poor Bobby Franks, and I think anybody who knows me knows that I am not saying it simply to talk. I am sorry for the bereaved father and the bereaved mother, and I would like to know what they would do with these poor unfortunate

lads who are here in this court today. I know something of them, of their lives, of their charity, of their ideas, and nobody here sympathizes with them more than I.

On the 21st day of May poor Bobby Franks, stripped and naked, was left in a culvert down near the Indiana line. I know it came through the mad act of mad boys. Mr. Savage told us that Franks, if he lived, would have been a great man and have accomplished much. I want to leave this thought with your Honor now. I do not know what Bobby Franks would have been had he grown to be a man. I do not know the laws that control one's growth. Sometimes, your Honor, a boy of great promise is cut off in his early youth. Sometimes he dies and is placed in a culvert. Sometimes a boy of great promise stands on a trap door and is hanged by the neck until dead. Sometimes he dies of diphtheria. Death somehow pays no attention to age, sex, prospects, wealth or intellect.

It comes, and perhaps, I can only say perhaps, for I never professed to unravel the mysteries of fate, and I cannot tell; but I say —perhaps, the boy who died at fourteen did as much as if he had died at seventy, and perhaps the boy who died as a babe did as much as if he had lived longer. Perhaps, somewhere in fate and chance, it might be that he lived as long as he should.

And I want to say this, that the death of poor little Bobby Franks should not be in vain. Would it mean anything if on account of that death, these two boys were taken out and a rope tied around their necks and they died felons? Would that show that Bobby Franks had a purpose in his life and a purpose in his death? No, your Honor, the unfortunate and tragic death of this weak young lad should mean something. It should mean an appeal to the fathers and the mothers, an appeal to the teachers, to the religious guides, to society at large. It should mean an appeal to all of them to appraise children, to understand the emotions that control them, to understand the ideas that possess them, to teach them to avoid the pitfalls of life.

Society, too, should assume its share of the burdens of this case, and not make two more tragedies, but use this calamity as best it can to make life safer, to make childhood easier, and more secure,

to do something to cure the cruelty, the hatred, the chance, and the wilfulness of life.

I have discussed somewhat in detail these two boys separately. Their coming together was the means of their undoing. Your Honor is familiar with the facts in reference to their association. They had a weird, almost impossible relationship. Leopold, with his obsession of the superman, had repeatedly said that Loeb was his idea of the superman. He had the attitude toward him that one has to his most devoted friend, or that a man has to a lover. Without the combination of these two, nothing of this sort probably could have happened. It is not necessary for us, your Honor, to rely upon words to prove the conditions of these boys' minds, and to prove the effect of this strange and fatal relationship between these two boys.

It is mostly told in a letter which the State itself introduced in this case. Not the whole story, but enough of it is shown, so that I take it that no intelligent, thoughtful person could fail to realize what was the relation between them and how they played upon each other to effect their downfall and their ruin. I want to read this letter once more, a letter which was introduced by the State, a letter dated October 9th, a month and three days before their trip to Ann Arbor, and I want the court to say in his own mind whether this letter was anything but the products of a diseased mind, and if it does not show a relationship that was responsible for this terrible homicide. This was written by Leopold to Loeb. They lived close together, only a few blocks from each other; saw each other every day; but Leopold wrote him this letter:

October 9, 1923.

Dear Dick:

In view of our former relations, I take it for granted that it is unnecessary to make any excuse for writing you at this time, and still I am going to state my reasons for so doing, as this may turn out to be a long letter, and I don't want to cause you the inconvenience of reading it all to find out what it contains if you are not interested in the subjects dealt with.

First, I am enclosing the document which I mentioned to you today, and which I will explain later. Second, I am going to tell you of a new fact which has come up since our discussion. And third, I am going to put in writing what is my attitude toward our present relations, with a view of avoiding

future possible misunderstandings, and in the hope (though I think it rather vain) that possibly we may have misunderstood each other, and can yet clear this matter up.

Now, as to the first, I wanted you this afternoon, and still want you, to feel that we are on an equal footing legally, and therefore, I purposely committed the same tort of which you were guilty, the only difference being that in your case the facts would be harder to prove than in mine, should I deny them. The enclosed document should secure you against changing my mind in admitting the facts, if the matter should come up, as it would prove to any court that they were in your opinion true.

As to the second. On your suggestion I immediately phoned Dick Rubel, and speaking from a paper prepared beforehand (to be sure of the exact wording) said:

Dick, when we were together yesterday, did I tell you that Dick (Loeb) had told me the things which I then told you, or that it was merely my opinion that I believed them to be so?

I asked this twice to be sure he understood, and on the same answer both times (which I took down as he spoke) felt that he did understand.

He replied:

No, you did not tell me that Dick told you these things, but said that they were in your opinion true.

He further denied telling you subsequently that I had said that they were gleaned from conversation with you, and I then told him that he was quite right, that you never had told me. I further told him that this was merely your suggestion of how to settle a question of fact that he was in no way implicated, and that neither of us would be angry with him at his reply. (I imply your assent to this.)

This of course proves that you were mistaken this afternoon in the question of my having actually and technically broken confidence, and voids my apology, which I made contingent on proof of this matter.

Now, as to the third, last, and most important question. When you came to my home this afternoon I expected either to break friendship with you or attempt to kill you unless you told me why you acted as you did yesterday.

You did, however, tell me, and hence, the question shifted to the fact that I would act as before if you persisted in thinking me treacherous, either in act (which you waived if Dick's opinion went with mine) or in intention.

Now, I apprehend, though here I am not quite sure, that you said that you did not think me treacherous in intent, nor ever have, but that you considered me in the wrong and expected such a statement from me. This statement I unconditionally refused to make until such time as I may become convinced of its truth.

However, the question of our relation I think must be in your hands (unless the above conceptions are mistaken), inasmuch as you have satisfied first one and then the other requirement, upon which I agreed to refrain from

attempting to kill you or refusing to continue our friendship. Hence I have no reason not to continue to be on friendly terms with you, and would under ordinary conditions continue as before.

The only question, then, is with you. You demand me to perform an act, namely, state that I acted wrongly. This I refuse. Now it is up to you to inflict the penalty for this refusal—at your discretion, to break friendship, inflict physical punishment, or anything else you like, or on the other hand to continue as before.

The decision, therefore, must rest with you. This is all of my opinion on the right and wrong of the matter.

Now comes a practical question. I think that I would ordinarily be expected to, and in fact do expect to continue my attitude toward you, as before, until I learn either by direct words or by conduct on your part which way your decision has been formed. This I shall do.

Now a word of advice. I do not wish to influence your decision either way, but I do want to warn you that in case you deem it advisable to discontinue our friendship, that in both our interests extreme care must be had. The motif of "A falling out of ————" would be sure to be popular, which is patently undesirable and forms an irksome but unavoidable bond between us.

Therefore, it is, in my humble opinion, expedient, though our breach need be no less real in fact, yet to observe the conventionalities, such as salutation on the street and a general appearance of at least not unfriendly relations on all occasions when we may be thrown together in public.

Now, Dick, I am going to make a request to which I have perhaps no right, and yet which I dare to make also for "Auld Lang Syne." Will you, if not too inconvenient, let me know your answer (before I leave tomorrow) on the last count? This, to which I have no right, would greatly help my peace of mind in the next few days when it is most necessary to me. You can if you will merely call up my home before 12 noon and leave a message saying, "Dick says yes," if you wish our relations to continue as before, and "Dick says no," if not.

It is unneccessary to add that your decision will of course have no effect on my keeping to myself our confidences of the past, and that I regret the whole affair more than I can say.

Hoping not to have caused you too much trouble in reading this, I am (for the present), as ever

"BABE."

Now, I undertake to say that under any interpretation of this case, taking into account all the things your Honor knows, that have not been made public, or leaving them out, nobody can interpret that letter except on the theory of a diseased mind, and with it goes this strange document which was referred to in the letter.

"I, Nathan F. Leopold, Jr., being under no duress or compulsion, do hereby affirm and declare that on this, the 9th day of October, 1923, I, for reasons of my own locked the door of the room in which I was with one Richard A. Loeb, with the intent of blocking his only feasible mode of egress, and that I further indicated my intention of applying physical force upon the person of the said Richard A. Loeb if necessary to carry out my design, to-wit, to block his only feasible mode of egress."

There is nothing in this case, whether heard alone by the court or heard in public that can explain these documents, on the theory that the defendants were normal human beings.

I want to call your attention then to an extract from another letter by Babe, if I may be permitted to call him Babe, until you hang him.

On October 10th, this is written by Leopold on the 20th Century train, the day after the other letter was written, and in it he says:

". . . now, that is all that is in point to our controversy."

But I am going to add a little more in an effort to explain my system of the Nietzschean philosophy with regard to you.

"It may not have occurred to you why a mere mistake in judgment on your part should be treated as a crime when on the part of another it should not be so considered. Here are the reasons. In formulating a superman he is, on account of certain superior qualities inherent in him, exempted from the ordinary laws which govern ordinary men. He is not liable for anything he may do, whereas others would be, except for the one crime that it is possible for him to commit—to make a mistake.

"Now obviously any code which conferred upon an individual or upon a group extraordinary privileges without also putting on him extraordinary responsibility, would be unfair and bad. Therefore, the superman is held to have committed a crime every time he errs in judgment—a mistake excusable in others. But you may say that you have previously made mistakes which I did not treat as crimes. This is true. To cite an example, the other night you expressed the opinion, and insisted, that Marcus Aurelius Antonius was practically the founder of Stoicism. In so doing you committed a crime. But it was a slight crime, and I chose to forgive it. I have, and had before that, forgiven the crime which you committed in committing the error in judgment which caused the whole train of events. I did not and do not wish to charge you with crime, but I feel justified in using any of the consequences of your crime for which you are held responsible, to my advantage. This and only this I did, so you see how careful you must be."

Is that the letter of a normal eighteen-year-old boy, or is it the letter of a diseased brain?

Is that the letter of boys acting as boys should, and thinking as boys should, or is it the letter of one whose philosophy has taken possession of him, who understands that what the world calls a crime is something that the superman may do—who believes that the only crime the superman can commit is to make a mistake? He believed it. He was immature. It possessed him. It was manifest in the strange compact that the court already knows about between these two boys, by which each was to yield something and each was to give something. Out of that compact and out of these diseased minds grew this terrible crime.

Tell me, was this compact the act of normal boys, of boys who think and felt as boys should—boys who have the thoughts and emotions and physical life that boys should have? There is nothing in all of it that corresponds with normal life. There is a weird, strange, unnatural disease in all of it which is responsible for this deed.

I submit the facts do not rest on the evidence of these boys alone. It is proven by the writings; it is proven by every act. It is proven by their companions, and there can be no question about it.

We brought into this court room a number of their boy friends, whom they had known day by day, who had associated with them in the club house, were their constant companions, and they tell the same stories. They tell the story that neither of these two boys was responsible for his conduct.

Maremont, whom the State first called, one of the oldest of the boys, said that Leopold had never had any judgment of any sort. They talked about the superman. Leopold argued his philosophy. It was a religion with him. But as to judgment of things in life he had none. He was developed intellectually, wanting emotionally, developed in those things which a boy does not need and should not have at his age, but absolutely void of the healthy feelings, of the healthy instincts of practical life that are necessary to the child.

We called not less than ten or twelve of their companions and all of them testified the same: Dickie Loeb was not allowed by his companions the privileges of his class because of his childishness

and his lack of judgment. Nobody denies it, and yet the State's Attorney makes a play here on account of this girl whose testimony was so important, Miss Nathan. What did the State's Attorney do in this matter? Before we ever got to these defendants these witnesses were called in by subpoenas of the Grand Jury, and then taken into the office of the State's Attorney; they were young boys and girls, taken just when this story broke. Without any friends, without any counsel, they were questioned in the State's Attorney's office, and they were asked to say whether they had seen anything strange or insane about these boys. Several of them said no. Not one of them had any warning, not one of them had any chance to think, not one of them knew what it meant, not one of them had a chance to recall the lives of both and they were in the presence of lawyers and policemen and officers, and still they seek to bind these young people by those statements.

Miss Nathan is quoted as saying that she never noticed any mental disease in them, and yet she said the lawyers refused to put down all she said and directed the reporter not to take all she said; that she came in there from a sick bed without any notice; she had no time to think about it; and then she told this court of her association with Dickie Loeb, and the strange, weird, childish things he did.

One other witness, a young man, and only one other, was called in and examined by the State's Attorney on the day after this confession was made; and we placed him on the stand and he practically tells the same story; that he was called to the State's Attorney's office; he had no chance to think about it; he had no chance to consider the conduct of these boys; he was called in immediately and the questions were put to him; and when he was called by us and had an opportunity to consider it and know what it meant he related to this court what has been related by every other witness in this case.

As to the standing of these boys amongst their fellows—that they were irresponsible, that they had no judgment, that they were childish, that their acts were strange, that their beliefs were impossible for boys—is beyond question in this case.

And what did they do on the other side?

It was given out that they had a vast army of witnesses. They

called three. A professor who talked with Leopold only upon his law studies, and two others who admitted all that we said, on cross examination, and the rest were dismissed. So it leaves all of this beyond dispute and admitted in this case.

Now both sides have called alienists and I will refer to that for a few moments. I shall only take a little time with the alienists.

The facts here are plain; when these boys had made the confession on Sunday afternoon before their counsel or their friends had any chance to see them, Mr. Crowe sent out for four men. He sent out for Dr. Patrick, who is an alienist; Dr. Church, who is an alienist; Dr. Krohn, who is a witness, a testifier; and Dr. Singer, who is pretty good—I would not criticize him but I would not class him with Patrick and with Church.

I have said to your Honor that in my opinion he sent for the two ablest men in Chicago as far as the public knows them. Dr. Church and Dr. Patrick. I have said to your Honor that if Judge Crowe had not got to them first I would have tried to get them. I not only say I would have tried, but I say I would have succeeded. You heard Dr. Church's testimony. Dr. Church is an honest man though an alienist. Under cross examination he admitted every position which I took. He admitted the failure of emotional life in these boys; he admitted its importance; he admitted the importance of beliefs strongly held in human conduct; he said himself that if he could get at all the facts he would understand what was back of this strange murder. Every single position that we have claimed in this case Dr. Church admitted.

Dr. Singer did the same. The only difference between them was this, it took but one question to get Dr. Church to admit it, and it took ten to a dozen to get Dr. Singer. He objected and hedged and ran and quibbled. There could be no mistake about it, and your Honor heard it in this court room.

He sought every way he could to avoid the truth, and when it came to the point that he could not dodge any longer, he admitted every proposition just exactly the same as Dr. Church admitted them: The value of emotional life; its effect on conduct; that it was the ruling thing in conduct, as every person knows who is familiar with psychology and who is familiar with the human system.

Could there be any doubt, your Honor, but what both those witnesses, Church and Singer, or any doubt but what Patrick would have testified for us? Now what did they do in their examination? What kind of a chance did these alienists have? It is perfectly obvious that they had none. Church, Patrick, Krohn went into a room with these two boys who had been in the possession of the State's Attorney's office for sixty hours; they were surrounded by policemen, were surrounded by guards and detectives and State's Attorneys; twelve or fifteen of them, and here they told their story. Of course this audience had a friendly attitude toward them. I know my friend Judge Crowe had a friendly attitude because I saw divers, various and sundry pictures of Prosecutor Crowe taken with these boys.

When I first saw them I believed it showed friendship for the boys, but now I am inclined to think that he had them taken just as a lawyer who goes up in the country fishing has his picture taken with his catch.

The boys had been led doubtless to believe that these people were friends. They were taken there, in the presence of all this crowd. What was done? The boys told their story, and that was all.

Of course, Krohn remembered a lot that did not take place—and we would expect that of him; and he forgot much that did take place—and we would expect that of him, too. So far as the honest witnesses were concerned, they said that not a word was spoken except in a little conversation upon birds and the relation of the story that they had already given to the State's Attorney; and from that, and nothing else, both Patrick and Church said they showed no reaction as ordinary persons should show it, and intimated clearly that the commission of the crime itself would put them on inquiry as to whether these boys were mentally right; both admitted that the conditions surrounding them made the right kind of examination impossible; both admitted that they needed a better chance to form a reliable opinion.

The most they said was that at this time they saw no evidence of insanity.

Now, your Honor, no experts, and no alienists with any chance to examine, have testified that these boys were normal.

Singer did a thing more marvelous still. He never saw these boys until he came into this court, excepting when they were brought down in violation of their constitutional rights to the office of Judge Crowe, after they had been turned over to the jailer, and there various questions were asked them, and to all of these the boys replied that they respectfully refused to answer on advice of counsel. And yet that was enough for Singer.

Your Honor, if these boys had gone to the office of any one of these eminent gentlemen, had been taken by their parents or gone by themselves, and the doctors had seriously tried to find out whether there was anything wrong about their minds, how would they have done it? They would have taken them patiently and carefully. They would have sought to get their confidence. They would have listened to their story. They would have listened to it in the attitude of a father listening to his child. You know it. Every doctor knows it. In no other way could they find out their mental condition. And the men who are honest with this question have admitted it.

And yet Dr. Krohn will testify that they had the best chance in the world, when his own associates, sitting where they were, said that they did not.

Your Honor, nobody's life or liberty or property should be taken from them upon an examination like that. It was not an examination. It was simply an effort to get witnesses, regardless of facts, who might at some time come into court and give their testimony, to take these boys' lives.

Now, I imagine that in closing this case Judge Crowe will say that our witnesses mainly came from the East. That is true. And he is responsible for it. I am not blaming him, but he is responsible for it. There are other alienists in Chicago, and the evidence shows that we had the boys examined by numerous ones in Chicago. We wanted to get the best. Did we get them?

Your Honor knows that the place where a man lives does not affect his truthfulness or his ability. We brought the man who stands probably above all of them, and who certainly is far superior to anybody called upon the other side. First of all, we called Dr. William A. White. And who is he? For many years he has been superintendent of the Government Hospital for the insane in Washing-

ton; a man who has written more books, delivered more lectures and had more honors and knows this subject better than all of their alienists put together; a man who plainly came here not for money, and who receives for his testimony the same per diem as is paid by the other side; a man who knows his subject, and whose ability and truthfulness must have impressed this court.

It will not do, your Honor, to say that because Dr. White is not a resident of Chicago he lies. No man stands higher in the United States, no man is better known than Dr. White, his learning and intelligence was obvious from his evidence in this case.

Who else did we get? Do I need to say anthing about Dr. Healy? Is there any question about his integrity? A man who seldom goes into court except upon the order of the court.

Your Honor was connected with the Municipal Court. You know that Dr. Healy was the first man who operated with the courts in the City of Chicago to give aid to the unfortunate youths whose minds were afflicted and who were the victims of the law.

No man stands higher in Chicago than Dr. Healy. No man has done as much work in the study of adolescence. No man has either read or written or thought or worked as much with the young. No man knows the adolescent boy as well as Dr. Healy.

Dr. Healy began his research and his practice in the City of Chicago, and was the first psychiatrist of the boys' court. He was then made a director of the Baker Foundation of Boston and is now carrying on his work in connection with the courts of Boston.

His books are known wherever men study boys. His reputation is known all over the United States and in Europe. Compare him and his reputation with Dr. Krohn. Compare it with any other witness that the State called in this case.

Dr. Glueck, who was for years the alienist at Sing Sing, and connected with the penal institutions in the State of New York; a man of eminent attainments and bright scholarship. No one is his superior.

And Dr. Hulbert, a young man who spent nineteen days in the examination of these boys, together with Dr. Bowen, an eminent doctor in his line from Boston. These two physicians spent all this time getting every detail of these boys' lives, and structures; each

one of these alienists took all the time they needed for a thorough examination, without the presence of lawyers, detectives and policemen. Each one of these psychiatrists tells this court the story, the sad, pitiful story, of the unfortunate minds of these two young lads.

I submit, your Honor, that there can be no question about the relative value of these two sets of alienists; there can be no question of their means of undertaking; there can be no question but that White, Glueck, Hulbert and Healy knew what they were talking about, for they had every chance to find out. They are either lying to this court, or their opinion is good.

On the other hand, not one single man called by the State had any chance to know. He was called in to see these boys, the same as the State would call a hangman: "Here are the boys; officer, do your duty." And that is all there was of it.

Now, your Honor, I shall pass that subject. I think all of the facts of this extraordinary case, all of the testimony of the alienists, all that your Honor has seen and heard, all their friends and acquaintances who have come here to enlighten this court—I think all of it shows that this terrible act was the act of immature and diseased brains, the act of children.

Nobody can explain it in any other way.

No one can imagine it in any other way.

It is not possible that it could have happened in any other way. And, I submit, your Honor, that by every law of humanity, by every law of justice, by every feeling of righteousness, by every instinct of pity, mercy and charity, your Honor should say that because of the condition of these boys' minds, it would be monstrous to visit upon them the vengeance that is asked by the State.

I want to discuss now another thing which this court must consider and which to my mind is absolutely conclusive in this case. That is, the age of these boys.

I shall discuss it more in detail than I have discussed it before, and I submit, your Honor, that it is not possible for any court to hang these two boys if he pays any attention whatever to the modern attitude toward the young, if he pays any attention whatever to the precedents in this county, if he pays any attention to the humane instincts which move ordinary man.

I have a list of executions in Cook County beginning in 1840, which I presume covers the first one, because I asked to have it go to the beginning. Ninety poor unfortunate men have given up their lives to stop murder in Chicago. Ninety men have been hanged by the neck until dead, because of the ancient superstition that in some way hanging one man keeps another from committing a crime. The ancient superstition, I say, because I defy the State to point to a criminologist, a scientist, a student, who has ever said it. Still we go on, as if human conduct was not influenced and controlled by natural laws the same as all the rest of the Universe is the subject of law. We treat crime as if it had no cause. We go on saying, "Hang the unfortunates, and it will end." Was there ever a murder without a cause? Was there ever a crime without a cause? And yet all punishment proceeds upon the theory that there is no cause; and the only way to treat crime is to intimidate every one into goodness and obedience to law. We lawyers are a long way behind.

Crime has its cause. Perhaps all crimes do not have the same cause, but they all have some cause. And people today are seeking to find out the cause. We lawyers never try to find out. Scientists are studying it; criminologists are investigating it; but we lawyers go on and on and on, punishing and hanging and thinking that by general terror we can stamp out crime.

It never occurs to the lawyer that crime has a cause as certainly as disease, and that the way to rationally treat any abnormal condition is to remove the cause.

If a doctor were called on to treat typhoid fever he would probably try to find out what kind of milk or water the patient drank, and perhaps clean out the well so that no one else could get typhoid from the same source. But, if a lawyer was called on to treat a typhoid patient, he would give him thirty days in jail, and then he would think that nobody else would ever dare to take it. If the patient got well in fifteen days, he would be kept until his time was up; if the disease was worse at the end of thirty days, the patient would be released because his time was out.

As a rule, lawyers are not scientists. They have learned the doctrine of hate and fear, and they think that there is only one way to make men good, and that is to put them in such terror that they do

not dare to be bad. They act unmindful of history, and science, and all the experience of the past.

Still, we are making some progress. Courts give attention to some things that they did not give attention to before.

Once in England they hanged children seven years of age; not necessarily hanged them, because hanging was never meant for punishment; it was meant for an exhibition. If somebody committed crime, he would be hanged by the head or the heels, it didn't matter much which, at the four cross roads, so that everybody could look at him until his bones were bare, and so that people would be good because they had seen the gruesome result of crime and hate.

Hanging was not necessarily meant for punishment. The culprit might be killed in any other way, and then hanged—yes. Hanging was an exhibition. They were hanged on the highest hill, and hanged at the cross-ways, and hanged in public places, so that all men could see. If there is any virtue in hanging, that was the logical way, because you cannot awe men into goodness unless they know about the hanging. We have not grown better than the ancients. We have grown more squeamish; we do not like to look at it; that is all. They hanged them at seven years; they hanged them again at eleven and fourteen.

We have raised the age of hanging. We have raised it by the humanity of courts, by the understanding of courts, by the progress in science which at last is reaching the law; and in ninety men hanged in Illinois from its beginning, not one single person under twenty-three was ever hanged upon a plea of guilty—not one. If your Honor should do this, you would violate every precedent that had been set in Illinois for almost a century. There can be no excuse for it, and no justification for it, because this is the policy of the law which is rooted in the feelings of humanity, which are deep in every human being that thinks and feels. There have been two or three cases where juries convicted boys younger than this, and where courts on convictions have refused to set aside the sentence because a jury had found it.

First, I want to call your attention, your Honor, to the cases on pleas of guilty in the State of Illinois. Back of the year 1896 the record does not show ages. After that, which is the large part, prob-

ably sixty out of ninety—all show the age. Not the age at which they are hanged, as my friend Marshall thought, but the age at the time of the verdict or sentence as is found today.

In all the history of Illinois—I am not absolutely certain of it back of 1896, but there are so many of them that I know about from the books and otherwise, that I feel I am safe in saying there is no exception to the rule—but since 1896 every one is recorded. The first hanging in Illinois—on a plea of guilty, was May 15, 1896, when a young colored man, 24 years old, was sentenced to death by Judge Baker.

Judge Baker I knew very well; a man of ability, a fine fellow, but a man of moods. I do not know whether the court remembers him; but that was the first hanging on a plea of guilty to the credit of any man in Illinois—I mean in Chicago. I have not obtained the statistics from the rest of the state, but I am satisfied they are the same, and that boy was colored, and twenty-four, either one of which should have saved him from death, but the color probably had something to do with compassing his destruction.

The next was Julius Mannow. Now, he really was not hanged on a plea of guilty, though the records so show. I will state to your Honor just what the facts are. Joseph Windreth and Julius Mannow were tried together in 1896 on a charge of murder with robbery. When the trial was nearly finished, Julius Mannow withdrew his plea of guilty. He was defended by Elliott, whom I remember very well, and probably your Honor does. And under what he supposed was an agreement with the court he plead this man guilty, after the case was nearly finished.

Now, I am not here to discuss whether there was an agreement or not. Judge Horton who tried this case did not sentence him, but he waited for the jury's verdict on Windreth, and they found him guilty and sentenced him to death, and Judge Horton followed that sentence. Had this case come into that court on a plea of guilty, it probably would have been different; perhaps not; but it really was not a question of a plea of guilty; and he was twenty-eight or thirty years old.

I might say in passing as to Judge Horton—he is dead. I knew him very well. In some ways I liked him. I tried a case for him after

he left the bench. But I will say this: He was never noted in Chicago for his kindness and his mercy, and anybody who remembers knows that I am stating the truth.

The next man who was hanged on a plea of guilty was Daniel McCarthy, twenty-nine years old, in 1897, by Judge Stein. Well, he is dead. I am very careful about being kind to the dead, so I will say that he never knew what mercy was, at least while he lived. Whether he does now, I cannot say. Still he was a good lawyer. That was in 1897.

It was twenty-two years, your Honor, before anybody else was hanged in Cook County on a plea of guilty, old or young, twenty-two years before a judge had either the old or young walk into his court and throw himself on the mercy of the court and get the rope for it; and a great many men have been tried for murder, and a great many men have been executed, and a great many men have plead guilty and have been sentenced, either to a term of years or life imprisonment, over three hundred in that twenty-two years, and no man, old or young, was executed.

But twenty-two years later, in 1919, Thomas Fitzgerald, a man about forty years old, was sentenced for killing a little girl, plead guilty before my friend Judge Crowe, and he was put to death. And that is all. In the history of Cook County that is all that have been put to death on a plea of guilty. That is all.

Your Honor, what excuse could you possibly have for putting these boys to death? You would have to turn your back on every precedent of the past. You would have to turn your back on the progress of the world. You would have to ignore all human sentiment and feeling, of which I know the court has his full share. You would have to do all this if you would hang boys of eighteen and nineteen years of age who have come into this court and thrown themselves upon your mercy.

I might do it, but I would want good reason for it, which does not exist and cannot exist in this case, unless publicity, worked-up feeling, and mad hate, is a reason, and I know it is not.

Since that time one other man has been sentenced to death on a plea of guilty. That was James H. Smith, twenty-eight years old, sentenced by Judge Kavanagh. But we were spared his hanging.

That was in January, 1923. I could tell you why it was, and I will tell you later. It is due to the cruelty that has paralyzed the hearts of men growing out of the war. We are accustomed to blood, your Honor. It used to look mussy, and make us feel squeamish. But we have not only seen it shed in buckets full, we have seen it shed in rivers, lakes and oceans, and we have delighted in it; we have preached it, we have worked for it, we have advised it, we have taught it to the young, encouraged the old, until the world has been drenched in blood, and it has left its stains upon every human heart and upon every human mind, and has almost stifled the feelings of pity and charity that have their natural home in the human breast.

I do not believe that Judge Kavanagh would ever have done this except for the great war which has left its mark on all of us, one of the terrible by-products of those wretched years.

This man was reprieved, but James Smith was twenty-eight years old; he was old enough to vote, he was old enough to make contracts, he needed no guardian, he was old enough to do all the things that an older man can do. He was not a boy; a boy that is the special ward of the state, and the special ward of the court, and who cannot act except in special ways because he is not mature. He was twenty-eight and he is not dead and will not die. His life was saved, and you may go over every hanging, and if your Honor shall decorate the gallows with these two boys, your Honor will be the first in Chicago who has ever done such a deed. And, I know you will not.

Your Honor, I must hasten along, for I will close tonight. I know I should have closed before. Still there seems so much that I would like to say. I will spend a few more minutes on this record of hangings. There was one boy nineteen years old, Thomas Schultz, who was convicted by a jury and executed. There was one boy who has been referred to here, eighteen, Nicholas Viani, who was convicted by a jury and executed. No one else under twenty-one, your Honor, has been convicted by a jury and sentenced to death. Now, let me speak a word about these.

Schultz was convicted in 1912. Viani was convicted in 1920. Of course, I believe it should not have happened, but your Honor knows the difference between a plea of guilty and a verdict. It is easy

enough for a jury to divide the responsibility by twelve. They have not the age and the experience and the charity which comes from age and experience. It is easy for some State's Attorneys to influence some juries. I don't know who defended the poor boy, but I guarantee that it was not the best lawyers at the bar,—but doubtless a good lawyer prosecuted him, and when he was convicted the court said that he had rested his fate with the jury, and he would not disturb the verdict.

I do not know whether your Honor, humane and considerate as I believe you to be, would have disturbed a jury's verdict in this case, but I know that no judge in Cook County ever himself upon a plea of guilty passed judgment of death in a case below the age of twenty-three, and only one at the age of twenty-three was ever hanged on a plea of guilty.

Viani I have looked up, and I don't care who did it or how it was done, it was a shame and disgrace that an eighteen-year-old boy should be hanged, in 1920, or a nineteen-year-old boy should be hanged, in 1920, and I am assuming it is all right to hang somebody, which it is not. I have looked up the Viani case because my friend Marshall read a part where it said that Viana pleaded guilty. He did not say it positively, because he is honest, and he knew there might be a reason. Viani was tried and convicted—I don't remember the name of the judge—in 1920.

There were various things working against him. It was in 1920, after the war. Most anything might have happened after the war, which I will speak of later, and not much later, for I am to close tonight. He was convicted in 1920. There was a band of Italian desperadoes, so-called. I don't know. Sam Cardinelli was the leader, a man forty years of age. But their records were very bad.

This boy should have been singled out from the rest. If I had been defending him, and he had not been, I never would have come into court again. But he was not. He was tried with the rest. I have looked up the records, and I find that he was in the position of most of these unfortunates; he did not have a lawyer.

Your Honor, the question of whether a man is convicted or acquitted does not always depend on the evidence or entirely on the judge or entirely on the jury. The lawyer has something to do with it.

And the State always has—always has at least moderately good lawyers. And the defendants have, if they can get the money; and if they cannot, they have nobody. Viani, who was on trial with others for his life, had a lawyer appointed by the court. Ed Raber, if I am rightly informed, prosecuted. He had a fine chance, this poor Italian boy, tried with three or four others. And prosecuted by one of the most relentless prosecutors Chicago has ever known. This boy was defended by somebody whose name I never heard, who was appointed by the court.

Your Honor, if in this court a boy of eighteen and a boy of nineteen should be hanged on a plea of guilty, in violation of every precedent of the past, in violation of the policy of the law to take care of the young, in violation of all the progress that has been made and of the humanity that has been shown in the care of the young; in violation of the law that places boys in reformatories instead of prisons,—if your Honor in violation of all that and in the face of all the past should stand here in Chicago alone to hang a boy on a plea of guilty, then we are turning our faces backward toward the barbarism which once possessed the world. If your Honor can hang a boy eighteen, some other judge can hang him at seventeen, or sixteen, or fourteen. Some day, if there is any such thing as progress in the world, if there is any spirit of humanity that is working in the hearts of men, some day men would look back upon this as a barbarous age which deliberately set itself in the way of progress, humanity and sympathy, and committed an unforgivable act.

Yet your Honor has been asked to hang, and I must refer here for a minute to something which I dislike to discuss. I hesitate whether to pass it by unnoticed or to speak of it, but feel that I must say something about it, and that was the testimony of Gortland, the policeman. He came into this court, the only witness who said that young Leopold told him that he might get into the hands of a friendly judge and succeed. Your Honor, that is a blow below the belt. There isn't a word of truth in his statement, as I can easily prove to your Honor. It was carved out of the air, to awe and influence the court, and place him in a position where if he saved life someone might be malicious enough to say that he was a friendly judge, and,

if he took it, the fear might invade the community that he did not dare to be merciful.

I am sure that your Honor knows there is only one way to do in this case, and I know you will do it. You will take this case, with your judgment and your conscience, and settle it as you think it should be settled. I may approve or I may disapprove, or Judge Crowe may approve or disapprove, or the public may approve or disapprove, but you must satisfy yourself and you will.

Now, let me take Gortland's testimony for a minute; and I am not going over the record. It is all here. He swore that on the night after the arrest of these two boys, Nathan Leopold told him, in discussing the case, that a friendly judge might save him. He is the first man who testified for the State that any of us cross examined, if you remember. They called witness after witness to prove something that did not need to be proved under a plea of guilty. Then this came, which to me was a poisoned piece of perjury, with a purpose, and I cross examined him:

"Did you make any record?"

"Yes, I think I did."

"Where is it?"

"I think I have it."

"Let me see it."

"Yes."

There was not a word or a syllable upon that paper.

"Did you make any other?"

"Yes."

"When did you make it?"

"Within two or three days of the occurrence."

"Let me see that."

He said he would bring it back later.

"Did you make another?"

"Yes."

"What was it?"

"A complete report to the chief of police."

"Is it in there?"

"I think so."

"Will you bring that?"

"Yes."

He brought them both into this court. They contained, all these reports, a complete or almost a complete copy of everything that happened, but not one word on this subject. He deliberately said that he made that record within a few days of the time it occurred, and that he told the office about it within a few days of the time it occurred. And then what did he say? Then he came back in answer to my cross examination, and said that he never told Judge Crowe about it until the night before Judge Crowe made his opening statement in this case. Six weeks after he heard it, long after the time he said that he made a record of it, and there was not a single word or syllable about this matter in any report he made.

I am sorry to discuss it; I am sorry to embarrass this court, but what can I do? I want your Honor to know that if in your judgment you think these boys should hang, we will know it is your judgment. It is hard enough, for a court to sit where you sit, with the eyes of the world upon you, in the fierce heat of public opinion, for and against. It is hard enough, without any lawyer making it harder. I assure you it is with deep regret that I even mention the evidence, and I will say no more about it, excepting that this statement was a deliberate lie, made out of whole cloth, and his own evidence shows it.

Now, your Honor, I have spoken about the war. I believed in it. I don't know whether I was crazy or not. Sometimes I think perhaps I was. I approved of it; I joined in the general cry of madness and despair. I urged men to fight. I was safe because I was too old to go. I was like the rest. What did they do? Right or wrong, justifiable or unjustifiable—which I need not discuss today—it changed the world. For four long years the civilized world was engaged in killing men. Christian against Christian, barbarians uniting with Christians to kill Christians; anything to kill. It was taught in every school, aye in the Sunday Schools. The little children played at war. The toddling children on the street. Do you suppose this world has ever been the same since then? How long, your Honor, will it take for the world to get back the humane emotions that were slowly growing before the war? How long will it take the calloused hearts of men before the scars of hatred and cruelty shall be removed?

We read of killing one hundred thousand men in a day. We read about it and we rejoiced in it—if it was the other fellows who were killed. We were fed on flesh and drank blood. Even down to the prattling babe. I need not tell your Honor this, because you know; I need not tell you how many upright, honorable young boys have come into this court charged with murder, some saved and some sent to their death, boys who fought in this war and learned to place a cheap value on human life. You know it and I know it. These boys were brought up in it. The tales of death were in their homes, their playgrounds, their schools; they were in the newspapers that they read; it was a part of the common frenzy—what was a life? It was nothing. It was the least sacred thing in existence and these boys were trained to this cruelty.

It will take fifty years to wipe it out of the human heart, if ever. I know this, that after the Civil War in 1865, crimes of this sort increased, marvelously. No one needs to tell me that crime has no cause. It has as definite a cause as any other disease, and I know that out of the hatred and bitterness of the Civil War crime increased as America had never known it before. I know that growing out of the Napoleonic wars there was an era of crime such as Europe had never seen before. I know that Europe is going through the same experience today; I know it has followed every war; and I know it has influenced these boys so that life was not the same to them as it would have been if the world had not been made red with blood. I protest against the crimes and mistakes of society being visited upon them. All of us have our share in it. I have mine. I cannot tell and I shall never know how many words of mine might have given birth to cruelty in place of love and kindness and charity.

Your Honor knows that in this very court crimes of violence have increased growing out of the war. Not necessarily by those who fought but by those that learned that blood was cheap, and human life was cheap, and if the State could take it lightly why not the boy? There are causes for this terrible crime. There are causes, as I have said, for everything that happens in the world. War is a part of it; education is a part of it; birth is a part of it; money is a part of it,—all these conspired to compass the destruction of these two poor boys.

Has the court any right to consider anything but these two boys? The State says that your Honor has a right to consider the welfare of the community, as you have. If the welfare of the community would be benefited by taking these lives, well and good. I think it would work evil that no one could measure. Has your Honor a right to consider the families of these two defendants? I have been sorry, I am sorry for the bereavement of Mr. and Mrs. Franks, for those broken ties that cannot be healed. All I can hope and wish is that some good may come from it all. But as compared with the families of Leopold and Loeb, the Franks are to be envied—and everyone knows it.

I do not know how much salvage there is in these two boys. I hate to say it in their presence, but what is there to look forward to? I do not know but what your Honor would be merciful if you tied a rope around their necks and let them die; merciful to them, but not merciful to civilization, and not merciful to those who would be left behind. To spend the balance of their days in prison is mighty little to look forward to, if anything. Is it anything? They may have the hope that as the years roll around they might be released. I do not know. I do not know. I will be honest with this court as I have tried to be from the beginning. I know that these boys are not fit to be at large. I believe they will not be until they pass through the next stage of life, at forty-five or fifty. Whether they will be then, I cannot tell. I am sure of this; that I will not be here to help them. So far as I am concerned, it is over.

I would not tell this court that I do not hope that some time, when life and age have changed their bodies, as it does, and has changed their emotions, as it does,—that they may once more return to life. I would be the last person on earth to close the door of hope to any human being that lives, and least of all to my clients. But what have they to look forward to? Nothing. And I think here of the stanza of Housman:

> Now hollow fires burn out to black,
> And lights are fluttering low:
> Square your shoulders, lift your pack
> And leave your friends and go.
> O never fear, lads, naught's to dread,

Look not left nor right:
In all the endless road you tread
There's nothing but the night.

I care not, your Honor, whether the march begins at the gallows or when the gates of Joliet close upon them, there is nothing but the night, and that is little for any human being to expect.

But there are others to consider. Here are these two families, who have led honest lives, who will bear the name that they bear, and future generations must carry it on.

Here is Leopold's father,—and this boy was the pride of his life. He watched him, he cared for him, he worked for him; the boy was brilliant and accomplished, he educated him, and he thought that fame and position awaited him, as it should have awaited. It is a hard thing for a father to see his life's hopes crumble into dust.

Should he be considered? Should his brothers be considered? Will it do society any good or make your life safer, or any human being's life safer, if it should be handed down from generation to generation, that this boy, their kin, died upon the scaffold?

And Loeb's, the same. Here is the faithful uncle and brother, who have watched here day by day, while Dickie's father and his mother are too ill to stand this terrific strain, and shall be waiting for a message which means more to them than it can mean to you or me. Shall these be taken into account in this general bereavement?

Have they any rights? Is there any reason, your Honor, why these proud names and all the future generations that bear them shall have this bar sinister written across them? How many boys and girls, how many unborn children will feel it? It is bad enough as it is, God knows. It is bad enough, however it is. But it's not yet death on the scaffold. It's not that. And I ask your Honor, in addition to all that I have said, to save two honorable families from a disgrace that never ends, and which could be of no avail to help any human being that lives.

Now, I must say a word more and then I will leave this with you where I should have left it long ago. None of us are unmindful of the public; courts are not, and juries are not. We placed our fate in the hands of a trained court, thinking that he would be more mindful and considerate than a jury. I cannot say how people feel. I

have stood here for three months as one might stand at the ocean trying to sweep back the tide. I hope the seas are subsiding and the wind is falling, and I believe they are, but I wish to make no false pretense to this court. The easy thing and the popular thing to do is to hang my clients. I know it. Men and women who do not think will applaud. The cruel and thoughtless will approve. It will be easy today; but in Chicago, and reaching out over the length and breadth of the land, more and more fathers and mothers, the humane, the kind and the hopeful, who are gaining an understanding and asking questions not only about these poor boys, but about their own,—these will join in no acclaim at the death of my clients. These would ask that the shedding of blood be stopped, and that the normal feelings of man resume their sway. And as the days and the months and the years go on, they will ask it more and more. But, your Honor, what they shall ask may not count. I know the easy way. I know your Honor stands between the future and the past. I know the future is with me, and what I stand for here; not merely for the lives of these two unfortunate lads, but for all boys and all girls; for all of the young, and as far as possible, for all of the old. I am pleading for life, understanding, charity, kindness, and the infinite mercy that considers all. I am pleading that we overcome cruelty with kindness and hatred with love. I know the future is on my side. Your Honor stands between the past and the future. You may hang these boys; you may hang them by the neck until they are dead. But in doing it you will turn your all toward the past. In doing it you are making it harder for every other boy who in ignorance and darkness must grope his way through the mazes which only childhood knows. In doing it you will make it harder for unborn children. You may save them and make it easier for every child that some time may stand where these boys stand. You will make it easier for every human being with an aspiration and a vision and a hope and a fate. I am pleading for the future; I am pleading for a time when hatred and cruelty will not control the hearts of men. When we can learn by reason and judgment and understanding and faith that all life is worth saving, and that mercy is the highest attribute of man.

I feel that I should apologize for the length of time I have taken.

This case may not be as important as I think it is, and I am sure I do not need to tell this court, or to tell my friends that I would fight just as hard for the poor as for the rich. If I should succeed in saving these boys' lives and do nothing for the progress of the law, I should feel sad, indeed. If I can succeed, my greatest reward and my greatest hope will be that I have done something for the tens of thousands of other boys, for the countless unfortunates who must tread the same road in blind childhood that these poor boys have trod,—that I have done something to help human understanding, to temper justice with mercy, to overcome hate with love.

I was reading last night of the aspiration of the old Persian poet, Omar Khayyam. It appealed to me as the highest that I can vision. I wish it was in my heart, and I wish it was in the hearts of all.

So I be written in the Book of Love,
I do not care about that Book above.
Erase my name or write it as you will,
So I be written in the Book of Love.

# IV. LEGISLATIVE SPEECHES

## I. "WHO WILL HAUL DOWN THAT FLAG?"

### JOHN SHARP WILLIAMS

*Speaker:* United States Congressman from Mississippi, 1893–1907; later, United States Senator, 1909–1923.

*Occasion:* Following the Spanish War came a two-year controversy, waged in Congress, in the press, and before the public at large—over whether the United States should keep her newly acquired foreign possessions. Congress almost literally opened its session debating. The following address was an extemporaneous repartee given during the rapid-fire debate on December 20, 1898.

*Audience:* The mere listeners included only United States Congressmen and the press representatives in the gallery, but the real audience included the whole American public, which was watching the Congressional debate with keen interest.

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The reader will notice how Mr. Williams, with an irresistible *reductio ad absurdum,* attacked the watchword of the "imperialists"—*Who will haul down that flag?* His method is worth careful study.

(From the stenographic copy appearing in the *Congressional Record* of December 20, 1898.)

MR. CHAIRMAN:

We are not bound to have the Philippines. Why, six months ago men who talk that way did not know where the Philippine Islands were. [*Laughter.*]

But another man says, "Are you going to 'haul down' the flag?" "Who will haul down that flag?" I suppose, Mr. Chairman, there is less superstition about me than any human being that ever lived, and less reverence for mere balderdash and poppycock. We have had the flag upon the heights of Chapultepec, we have had it upon the Cathedral of Mexico, we have had it upon the ramparts of Monterey

and on the plains of Buena Vista, and have planted it on the wall of Tripoli, and we "hauled it down." Why? Because it was sensible to "haul it down." [*Applause.*]

Why, if we should have a war with Great Britain and plant the flag in Edinburgh, after peace had been declared we would "haul the flag down"; it would not be cowardly to "haul it down"; it would not be unpatriotic, but it would be sensible, and we would be untrue to ourselves if we did not "haul it down." We might have a war with Spain, and we might plant the flag upon the Alhambra, and we would say to Spain after war was over, "In God's name, we have no use for your old curiosity; take it back!" [*Laughter.*]

The flag is a great and glorious thing for what it means,

In itself it is nothing but a piece of bunting. I do not care how high the station of the man may be, political or ecclesiastic, when he attempts to address the reason of the American people with such balderdash as "Who will pull that flag down?" he has said something fit only to "tickle the ears of the groundlings," not anything addressable to rational creatures. It is not even good oratorical pyrotechnics. He has said something unworthy of himself and unworthy of his nation. [*Applause.*] The American people will "haul it down." They would not permit anybody else to do it. That is a different thing. [*Applause.*]

One of the gentlemen who has been most loud-mouthed in using this claptrap phrase, "Who will haul that flag down?" has himself expressed his desire and his intention, on the happening of certain contingencies in the land of Cuba, "to haul down that flag" in that island, even from the walls of Santiago, Mr. Chairman, the sacred field of the glorious exploits of Hobson, Schley, Lawton, Wheeler, and the "Rough Riders." He is either telling the truth when he expressed that intention or he is not. If he is sincere and telling the truth, then he will answer his own high-flown question. He will himself, by his own order, "haul down that flag." And why? Because it is right to do it. . . .

Our business is not shooting, Mr. Chairman. It is growing crops, building houses and railroads, improving waterways, making and selling goods, developing free institutions, and begetting and educating children worthy to defend and maintain them—free institu-

tions not to be forced upon other people, Mahomet-like, but to be held up for their imitation, Christlike. [*Applause.*]

Our business is attaining higher civilization by rising from generation to generation "on our dead selves to higher things," not shooting, except in defense of our lives, property, liberties, institutions, or civilization, when, "as all the world knows," we shoot deucedly well. [*Applause.*]

Let us not change our business.

To do so in this particular would be tyrannous to others and unprofitable to ourselves.

Mr. Chairman, I thank my colleague, the chairman of the committee, for the opportunity given me to ventilate my views upon this subject, and I thank the House for its patient and courteous attention. [*Applause.*]

## II. SUBMITTING THE PEACE TREATY TO THE SENATE

### WOODROW WILSON

*Speaker:* Twenty-eighth President of the United States, 1913–1921. (See also p. 3.)

*Occasion:* The Constitution of the United States requires that all treaties shall be ratified by a two-thirds majority of the Senate. Therefore when President Wilson returned from the Peace Conference at Paris in 1919, bringing the final treaty (into which was written the Covenant of the League of Nations), his first official act was to submit it to the Senate of the 66th Congress for its approval or rejection. In doing so he delivered the following address. The date was July 10, 1919.

*Audience:* Senators of the United States; press representatives in the gallery through whom the address reached the entire American reading public.

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This address is a perfect example of the use of "implication" or "This-or-Nothing" method of argument, and reveals much of strength of the method. (See *The Spoken Word*, p. 99ff.)

(From *The Indianapolis News* of July 10, 1919. Since this address will appear in *The Public Papers of Woodrow Wilson*, I here express thanks to Harper & Brothers, publishers, and to Mrs. Woodrow Wilson for permission to use it. This represents the advance copy, written out in full preceding its delivery.)

GENTLEMEN OF THE SENATE:

The treaty of peace with Germany was signed at Versailles on the 28th of June. I avail myself of the earliest opportunity to lay the treaty before you for ratification and to inform you with regard to the work of the conference by which that treaty was formulated.

The treaty constitutes nothing less than a world settlement. It would not be possible for me either to summarize or to construe its manifold provisions in an address which must of necessity be something less than a treatise. My services and all the information I possess will be at your disposal and at the disposal of your committee on foreign relations at any time, either informally or in session, as you may prefer; and I hope that you will not hesitate to make use of them. I shall at this time, prior to your own study of the document, attempt only a general characterization of its scope and purpose.

In one sense, no doubt, there is no need that I should report to you what was attempted and done at Paris. You have been daily cognizant of what was going on there—of the problems with which the peace conference had to deal and of the difficulty of laying down straight lines of settlement anywhere on a field on which the old lines of international relationship, and the new alike, followed so intricate a pattern and were for the most part cut so deep by historical circumstances which dominated action where it would have been best to ignore or reverse them. The cross-currents of politics and of interest must have been evident to you. It would be presuming in me to attempt to explain the questions which arose or the many diverse elements that entered into them. I shall attempt something less ambitious than that and more clearly suggested by my duty to report to the congress the part it seemed necessary for my colleagues and me to play as the representatives of the government of the United States.

That part was dictated by the rôle America had played in the war and by the expectations that had been created in the minds of the peoples with whom we had associated ourselves in that great struggle.

The United States entered the war upon a different footing from every other nation except our associates on this side the sea. We entered it, not because our material interests were directly threatened or because any special treaty obligations to which we were

parties had been violated, but only because we saw the supremacy, and even the validity of right everywhere put in jeopardy and free government likely to be everywhere imperiled by the intolerable aggression of a power which respected neither right nor obligation and whose very system of government flouted the rights of the citizen as against the autocratic authority of his governors. And in the settlements of the peace we have sought no special reparation for ourselves, but only the restoration of right and the assurance of liberty everywhere that the effects of the settlement were to be felt. We entered the war as the disinterested champions of right and we interested ourselves in the terms of peace in no other capacity.

The hopes of the nations allied against the central powers were at a very low ebb when our soldiers began to pour across the sea. There was everywhere amongst them, except in their stoutest spirits, a somber foreboding of disaster. The war ended in November, eight months ago, but you have only to recall what was feared in midsummer last, four short months before the armistice, to realize what it was that our timely aid accomplished alike for their morale and their physical safety. That first, never-to-be-forgotten action at Château-Thierry had already taken place. Our redoubtable soldiers and marines had already closed the gap the enemy had succeeded in opening for their advance upon Paris—had already turned the tide of battle back towards the frontiers of France and begun the rout that was to save Europe and the world. Thereafter the Germans were always to be forced back, back, were never to thrust successfully forward again. And yet there was no confident hope.

Anxious men and women, leading spirits of France, attended the celebration of the Fourth of July last year in Paris out of generous courtesy—with no heart for festivity, little zest for hope. But they came away with something new at their hearts; they have themselves told us so. The mere sight of our men—of their vigor, of the confidence that showed itself in every movement of their stalwart figures and every turn of their swinging march, in their steady comprehending eyes and easy discipline, in the indomitable air that added spirit to everything they did—made every one who saw them that memorable day realize that something had happened that was much more than a mere incident in the fighting, something very different from

the mere arrival of fresh troops. A great moral force had flung itself into the struggle. The fine physical force of those spirited men spoke of something more than bodily vigor. They carried the great ideals of a free people at their hearts and with that vision were unconquerable. Their very presence brought reassurance; their fighting made victory certain.

They were recognized as crusaders, and as their thousands swelled to millions, their strength was seen to mean salvation. And they were fit men to carry such a hope and make good the assurance it forecast. Finer men never went into battle; and their officers were worthy of them. This is not the occasion upon which to utter a eulogy of the armies America sent to France, but perhaps, since I am speaking of their mission, I may speak also of the pride I shared with every American who saw or dealt with them there. They were the sort of men America would wish to be represented by, the sort of men every American would wish to claim as fellow-countrymen and comrades in a great cause. They were terrible in battle, and gentle and helpful out of it, remembering the mothers and the sisters, the wives and the little children at home. They were free men under arms, not forgetting their ideals of duty in the midst of tasks of violence. I am proud to have had the privilege of being associated with them and of calling myself their leader.

But I speak now of what they meant to the men by whose sides they fought and to the people with whom they mingled with such utter simplicity, as friends who asked only to be of service. They were for all the visible embodiment of America. What they did made America and all that she stood for a living reality in the thoughts not only of the people of France but also of tens of millions of men and women throughout all the toiling nations of a world standing everywhere in peril of its freedom and of the loss of everything it held dear, in deadly fear that its bonds were never to be loosed, its hopes forever to be mocked and disappointed.

And the compulsion of what they stood for was upon us who represented America at the peace table. It was our duty to see to it that every decision we took part in contributed, so far as we were able to influence it, to quiet the fears and realize the hopes of the peoples who had been living in that shadow, the nations that had come by

our assistance to their freedom. It was our duty to do everything that it was within our power to do to make the triumph of freedom and of right a lasting triumph in the assurance of which men might everywhere live without fear.

Old entanglements of every kind stood in the way—promises which governments had made to one another in the days when might and right were confused and the power of the victor was without restraint. Engagements which contemplated any dispositions of territory, any extensions of sovereignty that might seem to be to the interest of those who had the power to insist upon them, had been entered into without thought of what the peoples concerned might wish or profit by; and these could not always be honorably brushed aside. It was not easy to graft the new order of ideas on the old, and some of the fruits of the grafting may, I fear, for a time be bitter.

But with few exceptions, the men who sat with us at the peace table desired as sincerely as we did to get away from the bad influences, the illegitimate purposes, the demoralizing ambitions, the international councils and experiments out of which the sinister designs of Germany had sprung as a natural growth. It had been our privilege to formulate the principles which were accepted as the basis of the peace, but they had been accepted, not because we had come in to hasten and assure the victory and insisted upon them, but because they were readily acceded to as the principles to which honorable and enlightened minds everywhere had been bred.

They spoke the conscience of the world as well as the conscience of America, and I am happy to pay my tribute of respect and gratitude to the able, forward-looking men with whom it was my privilege to co-operate for their unfailing spirit of co-operation, their constant effort to accommodate the interests they represented to the principles we were all agreed upon. The difficulties, which were many, lay in the circumstances, not often in the men. Almost without exception the men who led had caught the true and full vision of the problem of peace as an indivisible whole, a problem, not of mere adjustments of interest, but of justice and right action.

The atmosphere in which the conference worked seemed created, not by the ambitions of strong governments, but by the hopes and aspirations of small nations and of peoples hitherto under bondage

to the power that victory had shattered and destroyed. Two great empires had been forced into political bankruptcy, and we were the receivers. Our task was not only to make peace with the central empires and remedy the wrongs their armies had done. The central empires had lived in open violation of many of the very rights for which the war had been fought, dominating alien peoples over whom they had no natural right to rule, enforcing, not obedience, but veritable bondage, exploiting those who were weak for the benefit of those who were masters and overlords only by force of arms. There could be no peace until the whole order of central Europe was set right.

That meant that new nations were to be created—Poland, Czecho-Slovakia, Hungary, itself. No part of ancient Poland had ever in any true sense become a part of Germany, or of Austria, or of Russia. Bohemia was alien in every thought and hope to the monarchy of which she had so long been an artificial part; and the uneasy partnership between Austria and Hungary had been one rather of interest than of kinship or sympathy. The Slavs whom Austria had chosen to force into her empire on the south were kept to their obedience by nothing but fear. Their hearts were with their kinsmen in the Balkans. These were all arrangements of power, not arrangements of natural union or association. It was the imperative task of those who would make peace and make it intelligently to establish a new order which would rest upon the free choice of peoples rather than upon the arbitrary authority of Hapsburgs or Hohenzollerns.

More than that, great populations bound by sympathy and actual kin to Roumania were also linked against their will to the conglomerate Austro-Hungarian monarchy or to other alien sovereignties and it was part of the task of peace to make the new Roumania as well as a new Slavic state clustering about Serbia.

And no natural frontiers could be found to these new fields of adjustment and redemption. It was necessary to look constantly forward to other related tasks. The German colonies were to be disposed of. They had not been governed; they had been exploited merely, without thought of the interest or even the ordinary human rights of their inhabitants.

The Turkish empire, moreover, had fallen apart, as the Austro-

Hungarian had. It had never had any real unity. It had been held together only by pitiless, inhuman force. Its peoples cried aloud for release, for succor from unspeakable distress, for all that the new day of hope seemed at last to bring within its dawn. Peoples hitherto in utter darkness were to be led out into the same light and given at last a helping hand. Undeveloped peoples and peoples ready for recognition but not yet ready to assume the full responsibilities of statehood were to be given adequate guarantees of friendly protection, guidance and assistance.

And out of the execution of these great enterprises of liberty sprang opportunities to attempt what statesmen had never found the way before to do; an opportunity to throw safeguards about the rights of racial, national and religious minorities by solemn international covenant; an opportunity to limit and regulate military establishments where they were most likely to be mischievous; an opportunity to effect a complete and systematic internationalization of waterways and railways which were necessary to the free economic life of more than one nation and to clear many of the normal channels of commerce of unfair obstructions of law or of privilege; and the very welcome opportunity to secure for labor the concerted protection of definite international pledges of principle and practice.

These were not tasks which the conference looked about it to find and went out of its way to perform. They were inseparable from the settlements of peace. They were thrust upon it by circumstances which could not be overlooked. The war had created them.

In all quarters of the world old-established relationships had been disturbed or broken and affairs were at loose ends, needing to be mended or united again, but could not be made what they were before. They had to be set right by applying some uniform principle of justice or enlightened expediency. And they could not be adjusted by merely prescribing in a treaty what should be done. New states were to be set up which could not hope to live through their first period of weakness without assured support by the great nations that had consented to their creation and won for them their independence. Ill-governed colonies could not be put in the hands of governments which were to act as trustees for their people and not as their masters if there was to be no common authority among the

nations to which they were to be responsible in the execution of their trust. Future international conventions with regard to the control of waterways, with regard to illicit traffic of many kinds, in arms or in deadly drugs, or with regard to the adjustment of many varying international administrative arrangements could not be assured if the treaty were to provide no permanent common international agency, if its execution in such matters was to be left to the slow and uncertain processes of co-operation by ordinary methods of negotiation.

If the peace conference itself was to be the end of co-operative authority and common counsel among the governments to which the world was looking to enforce justice and give pledges of an enduring settlement, regions like the Saar basin could not be put under a temporary administrative regime which did not involve a transfer of political sovereignty and which contemplated a final determination of its political connection by popular vote to be taken at a distant date; no free city like Dantzig could be created which was, under elaborate international guaranties, to accept exceptional obligations with regard to the use of its port and exceptional relations with a state of which it was not to form a part; properly safeguarded plebiscites could not be provided for where populations were at some future date to make choice what sovereignty they would live under; no certain and uniform method of arbitration could be secured for the settlement of anticipated difficulties of final decision with regard to many matters dealt with in the treaty itself; the long-continued supervision of the task of reparation which Germany was to undertake to complete within the next generation might entirely break down; the reconsideration and revision of administrative arrangements and restrictions which the treaty prescribed but which it was recognized might not prove of lasting advantage or entirely fair if too long enforced would be impracticable. The promises governments were making to one another about the way in which labor was to be dealt with, by law not only but in fact as well, would remain a mere humane thesis if there was to be no common tribunal of opinion and judgment to which liberal statesmen could resort for the influences which alone might secure their redemption.

A league of free nations had become a practical necessity. Ex-

amine the treaty of peace and you will find that everywhere throughout its manifold provisions its framers have felt obliged to turn to the league of nations as an indispensable instrumentality for the maintenance of the new order it has been their purpose to set up in the world—the world of civilized men.

That there should be a league of nations to steady the counsels and maintain the peaceful understandings of the world, to make, not treaties alone, but the accepted principles of international law as well, the actual rule of conduct among the governments of the world, had been one of the agreements accepted from the first as the basis of peace with the central powers. The statesmen of all the belligerent countries were agreed that such a league must be created to sustain the settlements that were to be effected. But at first I think there was a feeling among some of them that, while it must be attempted, the formation of such a league was perhaps a counsel of perfection which practical men, long experienced in the world of affairs, must agree to very cautiously and with many misgivings. It was only as the difficult work of arranging an all but universal adjustment of the world's affairs advanced from day to day from one stage of conference to another that it became evident to them that what they were seeking would be little more than something written on paper, to be interpreted and applied by such methods as the chances of politics might make available if they did not provide a means of common counsel which all were obliged to accept, a common authority whose decisions would be recognized as decisions which all must respect.

And so the most practical, the most skeptical among them turned more and more to the league as the authority through which international action was to be secured, the authority without which, as they had come to see it, it would be difficult to give assured effect, either to this treaty or to any other international understanding on which they were to depend for the maintenance of peace. The fact that the covenant of the league was the first substantive part of the treaty to be worked out and agreed on, while all else was in solution, helped to make the formulation of the rest easier. The conference was, after all, not to be ephemeral.

The concert of nations was to continue under a definite covenant

which had been agreed on and which all were convinced was workable. They could go forward with confidence to make arrangements intended to be permanent. The most practical of the conferees were at last the most ready to refer to the league of nations the superintendence of all interests which did not admit of immediate determination, of all administrative problems which were to require a continuing oversight. What had seemed a counsel of perfection had come to seem a plain counsel of necessity. The league of nations was the practical stateman's hope of success in many of the most difficult things he was attempting.

And it had validated itself in the thought of every member of the conference as something much bigger, much greater every way, than a mere instrument for carrying out the provisions of a particular treaty. It was universally recognized that all the peoples of the world demanded of the conference that it should create such a continuing concert of free nations as would make wars of aggression and spoliation as this that has just ended forever impossible. A cry had gone out from every home in every stricken land from which sons and brothers and fathers had gone forth to the great sacrifice that such a sacrifice should never again be exacted. It was manifest why it had been exacted. It had been exacted because one nation desired dominion and other nations had known no means of defense except armaments and alliances.

War had lain at the heart of every arrangement of the Europe—of every arrangement of the world—that preceded the war. Restive peoples had been told fleets and armies, which they toiled to sustain, meant peace; and they now knew that they had been lied to; that fleets and armies had been maintained to promote national ambitions and meant war. They knew that no old policy meant anything else but force, force—always force. And they knew that it was intolerable. Every true heart in the world, and every enlightened judgment demanded that, at whatever cost of independent action, every government that took thought for its people or for justice or for ordered freedom should lend itself to a new purpose and utterly destroy the old order of international politics.

Statesmen might see difficulties, but the people could see none and could brook no denial. A war in which they had been bled white

to beat the terror that lay concealed in every balance of power must not end in a mere victory of arms and a new balance. The monster that had resorted to arms must be put in chains that could not be broken. The united power of free nations must put a stop to agression, and the world must be given peace. If there was not the will or the intelligence to accomplish that now, there must be another and final war and the world must be swept clean of every power that could renew the terror. The league of nations was not merely an instrument to adjust and remedy old wrongs under a new treaty of peace; it was the only hope for mankind.

Again and again had the demon of war been cast out of the house of the peoples and the house swept clean by a treaty of peace; only to prepare a time when he would enter in again with spirits worse than himself. The house must now be given a tenant who could hold it against all such. Convenient, indeed indispensable, as statesmen found the newly planned league of nations to be for the execution of present plans of peace and reparation, they saw it in a new aspect before their work was finished. They saw it as the main object of the peace, as the only thing that could complete it or make it worth while. They saw it as the hope of the world, and that hope they did not dare to disappoint. Shall we or any other free people hesitate to accept this great duty? Dare we reject it and break the heart of the world?

And so the result of the conference of peace, so far as Germany is concerned, stands complete. The difficulties encountered were very many. Sometimes they seemed insuperable. It was impossible to accommodate the interests of so great a body of nations—interests which directly or indirectly affected almost every nation in the world—without many minor compromises. The treaty, as a result, is not exactly what we would have written. It is probably not what any one of the national delegations would have written. But results were worked out which on the whole bear test.

I think that it will be found that the compromises which were accepted as inevitable nowhere cut to the heart of any principle. The work of the conference squares, as a whole, with the principles agreed upon as the basis of the peace as well as with the practical

possibilities of the international situations which had to be faced and dealt with as facts.

I shall presently have occasion to lay before you a special treaty with France, whose object is the temporary protection of France from unprovoked aggression by the power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it for special explication on another occasion.

The rôle which America was to play in the conference seemed determined, as I have said, before my colleagues and I got to Paris, determined by the universal expectations of the nations whose representatives, drawn from all quarters of the globe, we were to deal with. It was universally recognized that America had entered the war to promote no private or peculiar interest of her own, but only as the champion of rights, which she was glad to share with free men and lovers of justice everywhere. We had formulated the principle on which the settlement was to be made—the principles on which the armistice had been agreed to and the parleys of peace undertaken—and no one doubted that our desire was to see the treaty of peace formulated along the actual lines of those principles, and desired nothing else. We were welcomed as disinterested friends.

We were resorted to as arbiters in many a difficult matter. It was recognized that our material aid would be indispensable in the days to come, when industry and credit would have to be brought back to their normal operation again and communities beaten to the ground assisted to their feet once more, and it was taken for granted, I am proud to say, that we would play the helpful friend in these things as in all others without prejudice or favor. We were generously accepted as the unaffected champions of what was right. It was a very responsible rôle to play; but I am happy to report that the fine group of Americans who helped with their expert advice in each part of the varied settlements sought in every transaction to justify the high confidence reposed in them.

And that confidence, it seems to me, is the measure of our opportunity and of our duty in the days to come, in which the new hope of the peoples of the world is to be fulfilled or disappointed. The fact

that America is the friend of the nations, whether they be rivals or associates, is no new fact; it is only the discovery of it by the rest of the world that is new.

America may be said to have just reached her majority as a world power. It was almost exactly twenty-one years ago that the results of the war with Spain put us unexpectedly in possession of rich islands on the other side of the world and brought us into association with other governments in the control of the West Indies. It was regarded as a sinister and ominous thing by the statesmen of more than one European chancellory that we should have extended our power beyond the confines of our continental dominions. They were accustomed to think of new neighbors as a new menace, of rivals as watchful enemies. There were persons amongst us at home who looked with deep disapproval and avowed anxiety on such extensions of our national authority over distant islands and other peoples whom they feared we might exploit, not serve and assist. But we have not exploited them.

We have been their friends and have sought to serve them. And our dominion has been a menace to no other nation. We redeemed our honor to the utmost in our dealings with Cuba. She is weak, but absolutely well; and it is her trust in us that makes her free. Weak peoples everywhere stand ready to give us any authority among them that will assure them a like friendly oversight and direction. They know that there is no ground for fear in receiving us as their mentors and guides. Our isolation was ended twenty years ago, and now fear of us is ended, also our counsel and association sought after and desired.

There can be no question of our ceasing to be a world power. The only question is whether we can refuse the moral leadership that is offered us, whether we shall accept or reject the confidence of the world.

The war and the conference of peace now sitting in Paris seem to me to have answered that question. Our participation in the war established our position among the nations, and nothing but our own mistaken action can alter it. It was not an accident or a matter of sudden choice that we are no longer isolated and devoted to a policy which has only our own interest and advantage for its ob-

ject. It was our duty to go in, if we were indeed the champions of liberty and of right. We answered to the call of duty in a way so spirited, so utterly without thought of what we spent of blood or treasure, so effective, so worthy of the admiration of true men everywhere, so wrought out of the stuff of all that was heroic, that the whole world saw at last, in the flesh, in noble action, a great ideal asserted and vindicated, by a nation they had deemed material and now found to be composite of the spiritual forces that must free men of every nation from every unworthy bondage. It is thus that a new rôle and a new responsibility have come to this great nation that we honor and which we would all wish to lift to yet higher levels of service and achievement.

The stage is set, the destiny disclosed. It has come about by no plan of our conceiving, but by the hand of God who led us into this way. We can not turn back. We can only go forward, with lifted eyes and freshened spirit, to follow the vision. It was of this that we dreamed at our birth. America shall in truth show the way. The light streams upon the path ahead, and nowhere else.

# V. PULPIT SPEECH

## I. A CHRISTIAN CONSCIENCE ABOUT WAR

HARRY EMERSON FOSDICK

*Speaker:* Pastor, Park Avenue Baptist Church, New York; Professor of practical theology, Union Theological Seminary; author of numerous religious works.

*Occasion:* The League of Nations Assembly Service at the Sixth Assembly, at the Cathedral at Geneva, September 13, 1925.

*Audience:* Delegates of the fifty-six member nations of the League of Nations.

"*All they that take the sword shall perish with the sword.*"—
(Matthew 26: 52.)

One ought to read with awe these words spoken nearly two thousand years ago and only now beginning to seem obviously true. Reliance on violence is suicidal, said Jesus. "All they that take the sword shall perish with the sword."

When the Master said that, it could not possibly have seemed to be true. Then it seemed evident that those who took the sword and knew how to use it could rule the world. Reliance on violence did not seem suicidal but necessary, salutary, and rich in its rewards. In these words of Jesus we have one of those surprising insights where, far ahead of the event, a seer perceives an obscure truth which only long afterward will emerge clear, unmistakable, imperative, so that all men must believe it.

Pythagoras in the sixth century B. C. had such a flare of insight when he guessed that the sun did not go about the earth but that the earth circled about a central fire. It was a surprising leap of intuition. No one believed it. Long centuries had to pass before Copernicus and Galileo came and people in general were convinced of what Pythagoras with his inner eye had seen. So when the Master

said that the sword would destroy those who used it, that seemed incredible. War suicidal! The world did not even note this strange thing that He said, and ever since men have tried to explain it away or laugh it off as idealism too lofty for this earth. But today that insight of the Master comes to its own. Once more the seer is justified of his vision. Reliance on violence is self-defeating; war is suicidal; civilization itself cannot survive it. That fact has been written in fire across the world until not seers alone, but multitudes of plain people of every tongue, tribe, and nation under heaven are beginning to see the truth once so incredible— "If mankind does not end war, war will end mankind."

Today my plea is simple and direct. Of all the people on earth who ought to take in earnest this unforeseeable confirmation of the Master's insight, Christians come first. This question of war and its denial of the method and spirit of Jesus is peculiarly their business. Speaking from this historic Christian pulpit to Christians of many races and nations gathered here, one finds himself inevitably concerned with that matter—addressing, as it were, the conscience of Christendom about war. The destinies of humankind depend upon the arousing of that conscience. Here in Geneva you once more are setting your minds to the high task of working out the technique of international cooperation. In this sanctuary we set ourselves this morning to consider the dynamic without which all technique will fail—the conscience of Christians about war.

Doubtless we represent here many different kinds of Christianity. We belong to different Churches, hold various theories about ecclesiastical polity, subscribe to diverse creeds. But one thing does unite us all. We start with and include the Master Himself. To all of us He is the Lord and His way is the way of life. At the fountainhead of our Christianity is Jesus Christ. His life with the Father, His faith in the moral possibilities of man, His devotion to the Kingdom of Heaven on earth, His Good Samaritan, His Golden Rule, His Sermon on the Mount, His law of finding life by losing it, His insight into the self-defeating nature of violence, and His substitution of the way of love—all this is included in any special kind of Christianity we severally may profess. How, then, can any of us avoid the conviction that this colossal and ominous question of war,

upon the answer to which the future of man depends, is in particular a crucial affair for Christianity? It has been said again and again that if another war befalls us and shakes civilization to its foundations, as it surely would, the Christians of the world will be to blame. Surely that is true. The continuance of war will advertise that the 576,000,000 professed Christians on earth have not had an earnest conscience about their Master's view of life; it will bear evidence that while they have called Him, "Lord, Lord," they have not been willing to do what He said.

Let us dwell, then, on some elements that ought to enter into the operation of the conscience of Christians about war.

For one thing, there is plainly the futility of war to achieve any of the purposes that Christianity is meant to serve. Indeed, there is modern war's futility to achieve any good purposes whatever. Once it was possible really to win a war. Once victors and vanquished stood in such opposite categories at a war's conclusion that there was no possibility of mistaking the prestige, prosperity, increased power and happiness of the one and the dismal annihilation of the other, but one shocking revelation of the last war was the indiscriminate ruin in which war plunged victor, vanquished, and neutrals alike, the ferocious and untamable way in which war, once let loose, tore at the garments of civilization as a whole so that, regardless of who won it, half the world found itself unclad and shivering when the storm was over.

In the history of war we have one more example of a mode of social action possibly possessing at the beginning more of good than evil, which has outgrown its good, accentuated its evil, and become at last an intolerable thing.

That was true of slavery. Men at first reduced to slavery those whom else they would have slaughtered after battle. Slavery was a substitute for massacre, profitable, doubtless, but also merciful. It was a forward step from brutal murder to enforced labor. But slavery did not retain its philanthropic good. In the end it outgrew all its benefits and became an intolerable curse. In an evolutionary world ethics and modes of social action evolve also.

So there may have been times when war could serve good ends, when armed conflict was a means of social progress. Of this war or

that it may be claimed that the sword won benefactions lacking which mankind would be the poorer. At least, there is little use in arguing the contrary. For the conviction now growing strong in this generation's mind is that whatever may have been true about war in times past, modern war is futile to achieve any good or Christian thing.

To fight with the gigantic paraphernalia of modern science; to make war in our intimately inter-related and delicately balanced modern world, where our most indispensable means of existence already have become international; to fight, not with armies against armies as of old, but with entire populations massed against entire populations so that bombs rain indiscriminate destruction on whole cities and blockades mean indiscriminate starvation to millions of families; to make war now, when an average five hours of fighting, as in the last war, burns up the endowment of a great university; to fight, knowing that, agreements or no agreements to limit the weapons of war, demonic forces like gas and bacteria are certain to be used—that is obviously futile to achieve any good thing for which a Christian man might wish or pray.

The old appeals for war in the name of a good cause fall coldly now on the instructed ear and cease to carry conviction to thoughtful minds. "Would you not go to war to protect the weak?" men ask. The answer seems obvious. A modern war to protect the weak—that is a grim jest. See how modern war protects the weak: 10,000,000 known dead soldiers; 3,000,000 presumed dead soldiers; 13,000,000 dead civilians; 20,000,000 wounded; 3,000,000 prisoners; 9,000,000 war orphans; 5,000,000 war widows; 10,000,000 refugees. What can we mean—modern war protecting the weak? The conviction grows clear in increasing multitudes of minds that modern war is no way to protect the weak.

A World Court would protect the weak. A League of Nations would protect the weak. An international mind, backed by a Christian conscience, that would stop the race for armaments, provide cooperative substitutes for violence, forbid the nations to resort to force, and finally outlaw war altogether—that would protect the weak. But this is clear: war will not do it. It is the weak by millions who perish in every modern war.

As for Christianity, the dilemma which it faces in all this seems

unmistakable. The war system as a recognized method of international action is one thing; Christianity with all its purposes and hopes is another; and not all the dialectic of the apologists can make the two lie down in peace together. We may have one or we may have the other, but we cannot permanently have both.

Another stake which Christianity has in this task of overpassing war and providing international substitutes for it lies in the new and ominous developments of nationalism. In our modern world nationalism, with its attendant patriotic emotions and loyalities, has increasingly taken a form which threatens to be the chief rival of Christianity. To be sure, passionate love of country is nothing modern or new. Its roots are deep in man's instincts and man's history. We here today are patriots. We intend to be patriots. We should think less of each other if we were not patriots. Love of fatherland is one of the oldest, deepest, most instinctive and most noble sentiments of man.

But within the last four hundred years nationalism has taken a new and startling form in our Western world. With the England of Elizabeth, the France of Louis XI, the Russia of Peter the Great, the development began which more and more has nationalized both the inner and the outer life of all of us. Our politics have become nationalized until the aggrandizement of one's own country in the competitive struggle with other nationalities has been the supreme aim of statesmanship. Our economic life has become nationalized; the powerful financial interests of each nation have wielded so enormous an influence over its statecraft that government, with its army and navy to back it, has frequently been a docile instrument for the furtherance of the country's economic aims. Our education has become nationalized; our children have been taught from infancy history all out of perspective, with national egoism for its organizing center and with hatred of other nations masquerading as patriotic training of the young. Even our religion has been nationalized; with state churches or without them, the center of loyalty in the religious life of the people has increasingly become the nation. Let Protestantism acknowledge its large responsibility for this in Western Christendom! In our fight for liberty we broke up the

inclusive mother church into national churches; we reorganized the worship of the people around nationalistic ideals; we helped to identify religion and patriotism. And so far has that identification gone that now, when war breaks, the one God of all humanity, whom Christ came to reveal, is split up into little tribal deities, and before these pagan idols even Christians pray for the blood of their enemies.

Never before has human life, its statecraft, its economics, its education, its religion, on so large a scale been organized on a nationalistic basis, and the issue is obvious. The supreme object of devotion for multitudes is the nation. In practical action they know no higher God. They really worship Cæsar. That is the limit of their loyalty. What once was said of the king is said now of the nation: it can do no wrong. And such sheer paganism is sometimes openly flaunted, at least in my country, and I presume in yours, as, "Our country! . . . may she always be in the right; but our country, right or wrong."

Nevertheless, at the same time that this nationalistic process has been going on, another movement has been gathering headway. The enlarging fellowship of human life upon this planet, which began with the clan and tribe and has moved out through ever widening circles of communication and contact, has now become explicitly and overwhelmingly international, and it never can be crowded back again. Moreover, within this unescapable internationalism of modern life, not yet adequately recognized in government, mankind has been learning one great lesson from his social experiments. In area after area he has succeeded in getting what he wanted, not by violence, but by overpassing violence and substituting cooperation. That is what social progress consists in. All social progress can be defined as carrying over one more realm of human life from the régime of force to the régime of cooperation. Wherever we have civilized any social group, the essential thing which has happened is that in that group, not force, but cooperation has become the arbiter.

That is true of the family. A household where men captured their wives, exposed their children in infancy, relied for obedience on the power of life and death over their offspring, would be recognizably uncivilized. A civilized family, with all its faults, enters into mar-

riage by mutual consent, relies on reasonableness, not on force, for its coherence, and from the beginning welcomes children into the democracy of the household. At least we have learned that violence is no way to bring up a good family. The same path of progress we have traveled in education. Once violence ruled our schools. It was said of an old pedagogue, the Rev. James Boyer, that "it was lucky the cherubim who took him to heaven were nothing but wings and faces or he infallibly would have flogged them by the way." But now our schools at their best would be ashamed to rely on violence since reasonableness and cooperation so plainly offer, not only a more ideal, but a more effective substitute. In religion also, being civilized means traveling that road from violence to cooperation. Once force was used to compel faith. If a man wished to be a Christian he could be a Christian, but if he did not wish to be a Christian he had to be a Christian, and the centuries are sad with the horrors of religious persecution. But social progress has largely left all that behind and what compelled its supersession was not sentimentality but the insight that violence is self-defeating, that force is no way to get religion. So, too, has government been carried over from violence to cooperation. The process is lamentably incomplete, but, so far as it has gone, it has furnished the indispensable background for all the civilization we possess. Still upon our Western clothes we wear the buttons, now decorative only, on which once our fathers' swordbelts hung. How impossible it would have seemed to them that the time would ever come when the common carrying of private weapons would be unnecessary because cooperative and peaceful government had provided a substitute!

In one realm after another the Master's insight has proved true. Violence defeats itself. It is no way to achieve family life or education or religion or stable government. Those who rely on it as their mainstay and effective instrument are sure to miss what they are seeking to achieve. Always progress has consisted in carrying over human life from violence to cooperation.

And now we face the next great step, the most momentous step in human history. Can we achieve a like result with our international relationships? Can we carry them over from brutality and organized slaughter to reasonableness and cooperation? How the

best thinking and praying of our time center around that hope of superseding belligerent nationalism with cooperative international substitutes for war!

Here, then, we face one of the most crucial and dramatic conflicts of loyalty that men ever dealt with. On the one side, our life has been organized as never before in history on a nationalistic basis. On the other hand, the one hope of humanity today, if it is to escape devastating ruin, lies in rising above and beyond this nationalism and organizing the world for peace. On the one side is a narrow patriotism saying, "My country against yours," on the other, a wider patriotism saying, "My country with yours for the peace of mankind." Is there any question where real Christianity must stand in that conflict? Is there any question that if she does not stand there she faces the most tragic and colossal moral failure of her history? One would like to cry so that all Christians should hear: Followers of Christ, so often straining out the gnat and swallowing the camel, tithing mint, anise, and cummin, and neglecting the weightier matters of the law, what do all the minutiæ of creed and institution that distinguish us amount to in the presence of this gigantic problem in which one of the central meanings of Christ for the world is involved? A narrow belligerent nationalism is today the most explicit and thoroughgoing denial of Christianity, its thought of God and its love of man, that there is on earth.

How evident this central problem is when we try to discuss the real issues of the world today! Some still see those issues in terms of one nation against another. That is the level on which their thinking runs. America versus Japan or France versus Germany—so in a long list of nation against nation they see the world's affairs. How desperately real the problems are on that level no one needs to be told, but, after all, those are not the deepest issues. A clear conviction grows in the best thinking of today that mankind's realest conflict of interest is not between this nation and that, but between the forward-looking, progressive, open-minded people of all nations, who have caught a vision of humanity organized for peace, and the backward-looking, reactionary, militaristic people of the same nations. The deepest line of conflict does not run vertically between the nations; it runs horizontally through all the nations. The salvation

of humanity from self-destruction depends on which side of that conflict wins.

What has happened thus to make a local, national patriotism, however sacred and beautiful in many of its forms, inadequate to meet our present need is clear. In unforgettable words the world has been told by a great patriot: "Patriotism is not enough." Why is it not enough? Well, patriotism once took men of little, local loyalties and expanded their outlook and allegiance. They had been citizens of a shire; patriotism made them citizens of a nation. Patriotism once called men to the widest imaginable outreach of their devotion; it broke down local provincialisms; it stretched human horizons; it demanded unaccustomed breadth of vision and unselfishness of life. To be a patriot for the nation meant a large loyalty as against the meanness and parochialism of a local mind. But the world has moved. Life has expanded and become international. Now it is possible for patriotism to fall from its high estate. Instead of calling men to wider horizons, it can keep them within narrow ones. Once the issue was patriotism versus a small parochialism; now the question may become patriotism versus a large care for humanity. Once patriotism was the great enemy of provincialism; now it can be made to mean provincialism and to sanctify the narrow mind.

This conflict of loyalties creates your difficult problems here in Geneva. You know how tenacious the adhesions of nationalism are, how difficult to entwine the thoughts and affections of men around new ideals and new methods of world peace. But this inner struggle between two loyalties goes deeper than the realm of statesmanship; it runs far down into the souls of men where the destinies of religion lie. How can a man be a follower of Jesus Christ and still be a belligerent nationalist, when once this better hope of a world organized for peace has dawned upon his view? Whatever else Christianity may believe in, it must believe in God, Father of all men; it must believe in men of every tribe, tongue, people, and nation, as God's children; it must believe in the Kingdom of God on earth. The spirit of Christianity is not narrowly nationalistic, but universally inclusive. When the world, therefore, organizes itself on the basis of belligerent nationalism the very genius of the Christian Gospel is at

stake. Once more we can have our old war systems with their appalling modern developments, or we can have Christianity, but we cannot permanently have both. They worship irreconcilable gods.

I need not, and I must not, press the analysis further. Two generations ago one of our great statesmen, Charles Sumner, said, "Not that I love country less, but Humanity more, do I now and here plead the cause of a higher and truer patriotism. I cannot forget that we are men by a more sacred bond than we are citizens—that we are children of a common Father more than we are Americans." Shall not each one of us here pray for his own country, as I pray earnestly for mine, that that spirit may come into the ascendency? Christianity essentially involves it.

The first Christians saw this. "The early Christian Church," says a recent writer, "was the first peace society." Then came Christianity's growing power—the days when Christians, no longer outcast, were stronger than their adversaries, until at last the imperial household of Constantine himself accepted Christianity. Then Christianity, joined with the state, forgot its earlier attitudes, bowed to the necessities of imperial action, became sponsor for war, blesser of war, cause of war, fighter of war. Since then the Church has come down through history too often trying to carry the cross of Jesus in one hand and a dripping sword in the other, until now when Christians look out upon the consequence of it all, this abysmal disgrace of Christendom making mockery of the Gospel, the conviction rises that we would better go back to our first traditions, our early purity, and see whether those first disciples of the Lord were not nearer right than we have been.

We cannot reconcile Jesus Christ and war—that is the essence of the matter. That is the challenge which today should stir the conscience of Christendom. War is the most colossal and ruinous social sin that afflicts mankind; it is utterly and irremediably unchristian; in its total method and effect it means everything that Jesus did not mean and it means nothing that He did mean; it is a more blatant denial of every Christian doctrine about God and man than all the theoretical atheists on earth ever could devise. It would be worth while, would it not, to see the Christian Church claim as her own this greatest moral issue of our time, to see her lift once more, as

in our fathers' days, a clear standard against the paganism of this present world and, refusing to hold her conscience at the beck and call of belligerent states, put the Kingdom of God above nationalism and call the world to peace? That would not be the denial of patriotism but its apotheosis.

Here today, as an American, under this high and hospitable roof, I cannot speak for my government, but both as an American, and as a Christian I do speak for millions of my fellow citizens in wishing your great work, in which we believe, for which we pray, our absence from which we painfully regret, the eminent success which it deserves. We work in many ways for the same end—a world organized for peace. Never was an end better worth working for. The alternative is the most appalling catastrophe mankind has ever faced. Like gravitation in the physical realm, the law of the Lord in the moral realm bends for no man and no nation: "All they that take the sword shall perish with the sword."

# BOOK TWO

# DEMONSTRATIVE SPEECHES

# I. SPEECHES OF COURTESY

## *1. Introduction*

### I. INTRODUCTION OF JACOB M. DICKINSON

JAMES HAMILTON LEWIS

*Speaker:* Lawyer and legislator; United States Congressman (Washington) 1897–1898; United States Senator (Illinois) 1913–1919; unseccessful candidate for Democratic nomination for Vice President, 1900.
*Occasion:* The twenty-fourth annual banquet of the Iroquois Club (Democratic) of Chicago, May 10, 1905.
*Audience:* Members of the club, guests.

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(Stenographic copy of the speech. From Wood, *After-Dinner Speaking*, T. H. Flood & Co., Chicago, 1914.)

The Christian Advocate publishes that a little boy in Tennessee, answering his examination in anatomy, defined the spinal column as "a long wriggly bone running down a man's back, with the man's head and brains settin' on one end, and the man hisse'f settin' on the other." [*Laughter.*] Tennessee claims to be the backbone of the South. We grant her that unction. And while she sits upon that end of the consolation, we remind her that the head and brains of the other end have been transferred to the shoulders of Chicago. [*Applause.*] And while we accept the hostage with the acclaim of a proud conqueror, nevertheless we hear the moan of his first mother as she wails out, in the words of his favorite *Odyssey*, "Ulysses is gone, and there's none left in Ithaca to bend his bow." I have the honor to present to the toast that national statesman, international lawyer and orator, former distinguished Tennesseean, now illustrious Illinoisan, Honorable J. M. Dickinson. [*Applause.*]

## II. INTRODUCTION OF MEREDITH NICHOLSON

### GEORGE BARR McCUTCHEON

*Speaker:* Author of about forty novels and many short stories.
*Occasion:* Fourth annual banquet of the Indiana Society of Chicago, December 11, 1908.
*Audience:* Members of the Society—natives of Indiana—and guests.

(From the stenographer's copy of the speech, as appearing in the Indiana Society of Chicago *Year Book* of 1908, and Wood, *After-Dinner Speeches*, T. H. Flood & Co., Chicago, 1914.)

It seems that it is an easy thing for an Indianian to be an author; but it is quite another thing to be a successful one, [*laughter and applause*] one whom everyone in the land talks about in a kindly way as if he were speaking of a personal friend. The first speaker of the evening has achieved this. He has achieved even more; he has been blazoned from Indianapolis to Calcutta, and while he is not yet as well known in India as he is in Indiana, you can find his books there. We'll pass by "The House of a Thousand Candles," and we'll not linger in "The Port of Missing Men." "The Little Brown Jug of Kildare"—you all know what its influence has been in the literary world during the past three months. But, aside from literature, it has also been a grave and potent factor in other directions. I am reliably informed that "The Little Brown Jug" actually carried Indiana in the last election. [*Applause and laughter.*] Gentlemen, permit me to introduce the man who evolved "The Little Brown Jug," Mr. Meredith Nicholson, of Indianapolis, who will tell us of The Rise of Science in the Pawpaw District. [*Prolonged applause.*]

## III. INTRODUCTION OF EDWIN P. MORROW

### JUNIUS PARKER

*Speaker:* President of the New York Southern Society; corporation lawyer.
*Occasian:* Introducing the chief speaker of the evening at the 37th annual dinner of the New York Southern Society, December 13, 1922. (For Governor Morrow's speech, see p. 279.)

*Audience:* Society members (natives or descendents of natives of the South); ladies in the gallery.

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(From the stenographer's copy, appearing in the 1922–1924 *Year Book of the New York Southern Society.*)

LADIES AND GENTLEMEN:

I come to the most delightful and most difficult part of my duty. It is for me as the *inadequate* but *only* voice of the South, to give proper greeting to that State of us which represents the very quintessence of our qualities—the full flower of our characteristics. If we are to believe the words of song and story, it is the old *Kentucky* home on which the sun shines with a peculiar and resplendent brightness. I know that the spirit of Virginia, with its great galaxy of historic Southerners, protests at this statement; I know that Arkansas and Georgia and Mississippi, with their aristocracy of plantation life, protest; I know that dear humble old North Carolina protests also at this admission in favor of Kentucky by one of North Carolina's negligible sons. The fact remains, though, that in those things that, in our glad moments, we love to believe are distinctly Southern, Kentucky leads all the rest. Nowhere else are men so universally gifted and eloquent; nowhere else are women so universally beautiful; nowhere else are all horses race horses; nowhere else does the bluegrass grow so green.

You will note that in this list of the glories of Kentucky, I have omitted its one-time primacy in the production of those things that presumably have, latterly, been lost to sight, but still are to memory dear.

We are happy to have with us tonight the first citizen of Kentucky. Of course he is eloquent; one could as easily conceive of a choir leader who could not sing, as of a governor of Kentucky who was not eloquent of speech. He is more than that, though: He is a strong executive, who reflects honor on the high office that he holds. [*Applause.*]

It is my pleasure and privilege to introduce to you the worthy and charming Governor of a great and charming State—Honorable Edwin P. Morrow, of Kentucky.

## IV. INTRODUCTION OF GEORGE WHITE

RUSSELL WILSON

*Speaker:* The toastmaster.
*Occasion:* Fortieth annual banquet of the Ohio Society of New York, April 26, 1926.
*Audience:* Society members—being natives or descendants of natives of Ohio; guests.

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(From the stenographer's copy appearing in the *Report of Proceedings of the Ohio Society of New York,* 1926–1927.)

The first speaker of this evening is Mr. George White, of Marietta. When westward the course of empire wended its way and sailed down the Ohio River, its first stop was at Marietta. The first city of Ohio to be founded was a city or town—the town of Marietta. And after hesitating very briefly it moved on to the Queen City of the West—Cincinnati. There the center of gravity remained until George White was graduated from Princeton and arrived back in Marietta with his diploma.

Mr. White's has been a gushing career. At the touch of his wand oil gushed from the soil and on the slightest provocation eloquent words have gushed from his lips. A few years ago, in 1920 I believe it was, Mr. White became campaign manager for another distinguished son of Ohio—the Honorable James M. Cox. Now I am a Republican but I wish to say that I admired the way George White that year defied the avalanche. And while we may, as Republicans, to change the metaphor, have admired the lightning and called its work blessed, our affection almost remained with Ajax. Gentlemen, I introduce to you Mr. George White, former Congressman, campaign manager, a politician and statesman with a past, and also I trust with a future. [*Applause.*]

## V. INTRODUCTION OF HENRY CABOT LODGE

THOMAS R. MARSHALL

*Speaker:* Vice President of the United States, 1913–1921; former Governor of Indiana, 1909–1913.

*Occasion:* Memorial service, February 9, 1919, following the death of Theodore Roosevelt.

*Audience:* Members of the United States Senate and House of Representatives in joint session. There were also present the high officials of the army and navy, the United States Supreme Court, and Ambassadors of foreign nations.

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(Since it was Mr. Marshall's invariable custom to write carefully in full these little speeches for which he became so famous, it may be safely assumed that this copy—taken from the *Congressional Record* of the above date—represents a carefully written advance copy. You will note that, into two carefully arranged sentences, are put every detail that makes a desirable eulogist and every attribute of Senator Lodge that makes him such an eulogist.)

Happy is the memory of that man who has for his eulogist one who not only knows all about him, but who knew him; happier still if that eulogist be a man of letters; happiest if he be a friend.

I present to you the Honorable Henry Cabot Lodge, senior Senator of Massachusetts, scholar, statesman, orator, and friend of the lamented great President of the United States, Theodore Roosevelt.

## VI. INTRODUCTION OF FRANCIS G. BLAIR

MARY McSKIMMON

*Speaker:* President of the National Education Association of the United States, 1925–1926.

*Occasion:* Dr. Blair had just been elected to succeed Miss McSkimmon to the presidency of the National Education Association of the United States.

*Audience:* Members of N. E. A., closing session of 64th annual meeting, Philadelphia, July 2, 1926.

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Since every person in this audience knew in detail the career and standing of their new president it would have been an obvious repetition for the chairman to have dwelt upon them. She therefore fittingly made the presentation as short as possible.
(From the *National Education Journal*, September, 1926.)

LADIES AND GENTLEMEN: Your President for the coming year.

## *2. Welcome*

### I. WELCOME TO CHARLES A. LINDBERGH

#### CALVIN COOLIDGE

*Speaker:* President of the United States, 1923–1928; formerly, Governor of Massachusettes, 1919–1921; formerly Vice President of the United States, 1921–1923.

*Occasion:* The official welcome to Colonel Charles A. Lindbergh upon his return from Europe after making the first non-stop airplane flight from New York to Paris; at Washington, D. C., June 11, 1927. It will be noticed that this was both an occasion of welcome and of presenting the distinguished flying cross.

*Audience:* High government officials, aviators, and the general public were present; but readers of the speech included a large section of the whole American people and the address was printed in full in practically every American daily.

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Here is an ideal of rhetorical structure. The speaker's task is to welcome an American returning from a titanic achievement. Observe his method: (1) He sketches tersely American achievements in aviation. (2) He sketches, with equal terseness, the youthful background of this recently distinguished aviator. (3) He weaves the two movements into one—recounting the great flight, its results, the man behind it.
(From the advance press copy.)

MY FELLOW COUNTRYMEN:

It was in America that the modern art of flying of heavier-than air machines was first developed. As the experiments became successful, the airplane was devoted to practical purposes. It has been adapted to commerce in the transportation of passengers and mail and used for national defense by our land and sea forces.

Beginning with a limited flying radius, its length has been gradually extended. We have made many flying records. Our Army flyers have circumnavigated the globe. One of our Navy men started from California and flew far enough to have reached Hawaii, but being off his course landed in the water. Another officer of the Navy has flown to the North Pole. Our own country has been traversed from shore to shore in a single flight.

It had been apparent for some time that the next great feat in the air would be a continuous flight from the mainland of America to the mainland of Europe. Two courageous Frenchmen made the reverse attempt and passed to a fate that is as yet unknown. Others were speeding their preparations to make the trial, but it remained for an unknown youth to tempt the elements and win. It is the same story of valor and victory by a son of the people that shines through every page of American history.

Twenty-five years ago there was born in Detroit, Mich., a boy, representing the best traditions of this country, of a stock known for its deeds of adventure and exploration. His father, moved with a desire for public service, was a Member of Congress for several terms. His mother, who dowered her son with her own modesty and charm, is with us to-day. Engaged in the vital profession of school-teaching, she has permitted neither money nor fame to interfere with her fidelity to her duties. Too young to have enlisted in the World War, her son became a student at one of the big State universities. His interest in aviation led him to an Army aviation school; and in 1925 he was graduated as an airplane pilot. In November, 1926, he had reached the rank of captain in the Officers' Reserve Corps. Making his home in St. Louis, he had joined the One hundred and tenth Observation Squadron of the Missouri National Guard. Some of his qualities noted by the Army officers who examined him for promotion, as shown by reports in the files of the Militia Bureau of the War Department, are as follows: "Intelligent," "industrious," "energetic," "dependable," "purposeful," "alert," "quick of reaction," "serious," "deliberate," "stable," "efficient," "frank," "modest," "congenial," "a man of good moral habits and regular in all his business transactions." One of the officers expressed his belief that the young man "would success-

fully complete everything he undertakes." This reads like a prophecy.

Later he became connected with the United States Mail Service, where he exhibited marked ability, and from which he is now on leave of absence.

On a morning just three weeks ago yesterday, this wholesome, earnest, fearless, courageous product of America rose into the air from Long Island in a monoplane christened "The Spirit of St. Louis" in honor of his home and that of his supporters. It was no haphazard adventure. After months of most careful preparation supported by a valiant character, driven by an unconquerable will and inspired by the imagination and the spirit of his Viking ancestors, this reserve officer set wing across the dangerous stretches of the North Atlantic. He was alone. His destination was Paris.

Thirty-three hours and thirty minutes later, in the evening of the second day, he landed at his destination on the French flying field at Le Bourget. He had traveled over 3,600 miles and established a new and remarkable record. The execution of his project was a perfect exhibition of art.

This country will always remember the way in which he was received by the people of France, by their President, and by their Government. It was the more remarkable because they were mourning the disappearance of their intrepid countrymen, who had tried to span the Atlantic on a western flight.

Our messenger of peace and good will had broken down another barrier of time and space and brought two great peoples into closer communion. In less than a day and a half he had crossed the ocean over which Columbus had traveled for 69 days, and the Pilgrim Fathers for 66 days, on their way to the New World. But, above all, in showering applause and honors upon this genial, modest, American youth, with the naturalness, the simplicity, and the poise of true greatness, France had the opportunity to show clearly her good will for America and our people. With like acclaim and evidences of cordial friendship our ambassador without portfolio was received by the rulers, the governments, and the peoples of England and Belgium. From other nations came hearty messages of admira-

tion for him and for his country. For these manifold evidences of friendship we are profoundly grateful.

The absence of self-acclaim, the refusal to become commercialized, which has marked the conduct of this sincere and genuine exemplar of fine and noble virtues, has endeared him to every one. He has returned unspoiled. Particularly has it been delightful to have him refer to his airplane as somehow possessing a personality and being equally entitled to credit with himself, for we are proud that in every particular this silent partner represented American genius and industry. I am told that more than 100 separate companies furnished materials, parts, or service in its construction.

And now, my fellow citizens, this young man has returned. He is here. He has brought his unsullied fame home. It is our great privilege to welcome back to his native land, on behalf of his own people, who have a deep affection for him and have been thrilled by his splendid achievement, a colonel of the United States Officers' Reserve Corps, an illustrious citizen of our Republic, a conqueror of the air and strengthener of the ties which bind us to our sister nations across the sea, and, as President of the United States, I bestow the distinguished flying cross, as a symbol of appreciation for what he is and what he has done, upon Col. Charles A. Lindbergh.

## II. WELCOME TO EDUCATIONAL GROUP

### MAJOR W. E. R. COVELL

*Speaker:* Assistant to the Engineer Commissioner of the District of Columbia.
*Occasion:* Meeting of the Department of Superintendence, National Education Association, Washington, D. C., February 22, 1926.
*Audience:* Members of the association, a nation-wide gathering.

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Here is an official of the municipal government of Washington, D. C., unexpectedly called upon to welcome an educational convention, meeting in that city. He seizes upon the inner workings of that city government as the key to his welcome to the educators gathered there.

(From the stenographic copy of the speech, appearing in the *National Education Association Proceedings*, 1926, p. 675.)

MR. PRESIDENT:

MEMBERS OF THE DEPARTMENT OF SUPERINTENDENCE OF THE NATIONAL EDUCATION ASSOCIATION, LADIES AND GENTLEMEN:

It is an unexpected pleasure and privilege for me to be here this morning to welcome you to your capital city. I say "unexpected" because it was only last evening that I learned that two of our District Commissioners were ill, and that the third was required to appear before a congressional committee this morning on that all-important subject of traffic. I say "pleasure" because as a high-school student I have stood before you with trembling knees to receive some severe censure for some dereliction of my scholastic duties, while this morning my position is reversed and my opportunity arrives.

I say "privilege" because it is seldom that this national capital greets a group either officially or unofficially which, in numbers of members, in the equipment which you possess, in training and in the positions which you hold, geographically and professionally, is so enabled to pass on to the coming generations your impressions, gained by personal observation of the seat of that government of which this rising generation will soon form the most important part.

In spite, therefore, of the risk of needless repetition, I would like to suggest a word this morning concerning the government of this city, to impress upon you that this is your city, that its administrative officials are indirectly responsible to you and that they hold in trust for you the affairs of this city—they hold in trust the affairs of this city for you, as well as for those residents who happen to reside here temporarily or permanently. 'Way back in 1783 the Continental Congress was roughly treated by unpaid rebellious soldiers of the Continental army in Philadelphia. With this experience in mind, just four years later, the framers of our Constitution provided that the Federal Congress should have exclusive legislative power over such district as may become the seat of government of the United States. This Congress, therefore, elected by you, is our supreme governing body.

After experimenting with a mayor and later with a governor, Congress established a government of three commissioners and

four years later made this form permanent. Three commissioners are appointed by the President of the United States with the consent of the Senate. Two must be residents of the District, and one, the engineer commissioner, must be an officer of the Corps of Engineers of the United States Army, representing the extensive federal interest in the whole affairs of this city. The engineer commissioner has charge of the public works. One of the two civilian commissioners has charge of the police and fire departments, and the other has charge of the remaining administrative functions of our government.

The same three commissioners form a Public Utilities Commission, which regulates the public utility companies of the District.

There are other bodies, largely federal, which have as their object some particular phase of the beautification or improvement of this city, but after all, that is the purpose of every official from the district commissioners down. We are going to make this city as nearly perfect as possible in beauty, in culture, in charm, in education, and in government, worthy in every respect of the nation whose government it houses. In doing this, we feel that we are carrying out your wishes and therefore look to you for constructive criticism and for support. If you believe, and I think you do believe, that this should be the finest capital in the world, in your hands, more than any others, the opportunity rests of giving the greatest assistance to the completion of this object.

In the name, therefore, of the Commissioners of the District of Columbia I welcome you to your capital city, feeling that if this city can inspire you, you in turn will see that its future is inspired.

## III. WELCOME TO THE ITALIAN COMMISSION

THOMAS R. MARSHALL

*Speaker:* Vice President of the United States, 1913–1921. Formerly, Governor of Indiana, 1909–1913.

*Occasion:* Upon American entrance into the late European War, each of the Allied Governments sent commissions to the United States to confer with our government upon means of prosecuting the war. When the Italian Com-

mission arrived, the United States Senate adjourned their regular session, May 31, 1917, and were called to order informally by the Vice President to receive the members of the commission. It will be noted that this speech is both one of welcome and of presentation.

*Audience:* Members of the Italian Commission, Members of the United States Senate, visitors in the gallery.

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You will note the magnificent play upon historical allusion and comparison. (From the Vice President's advance copy, as appearing in the *Congressional Record* of the above date.)

SENATORS:

It will perhaps rejoice you hereafter to remember that within a very few days you have had the honor and pleasure of participating in three great historic scenes. For myself, I may say that I am very glad the distinguished visitors and myself both belong to posterity rather than to ancestry, for I have a historic recollection that some 1900 years ago the ancestors of these distinguished gentlemen were pursuing through the islands of Britain my ancestors, clad in sheepskin.

I am glad that I have lived in a time when the eagles of the Senate and people of Rome come in peace to visit the American eagle in the Senate of the United States. [*Applause.*]

History sometimes reverses itself and sometimes repeats itself. When Rome stood exclusively for power and sought to bring the habitable globe under her control, she never quite succeeded in conquering the Belgian people. Nineteen hundred years after that failure the Roman people have concluded that what Rome as the representative of power could not do no other representative of power shall ever be permitted to do. [*Applause.*]

History repeats itself in another instance. When I was trying to ascertain the history of this great people, digging it out of the original, I learned, as I pronounce it in the Hoosier vulgate, that one of the great Romans closed each of his addresses in the Roman Senate with this remarkable statement: "*ceterum censeo Carthaginem esse delendam.*" History, I hope, again repeats itself in that the people of the seven-hilled city beside the yellow Tiber have resolved

that for themselves and for humanity the house of Hapsburg must be destroyed. [*Loud Applause.*]

It is my honor and my pleasure to present to you the representative of the people of Italy, the Prince of Udine. [*Loud Applause.*]

## *3. Response*

### I. RESPONSE TO ELECTION AS PRESIDENT

FRANCIS G. BLAIR

*Speaker:* President, National Education Association of the United States, 1926–1927; State Superintendent of Public Instruction in Illinois since 1906.
*Occasion:* Annual meeting of N. E. A., Philadelphia, July 2, 1926.
*Audience:* Members of the association. Dr. Blair was introduced to the association by the retiring president, Mary McSkimmon (see p. 239). Mr. Uel W. Lamkin, of Missouri, who had been defeated for the presidency by a narrow margin, had preceded Miss McSkimmon with a brief address of welcome to Dr. Blair.

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The most obvious high points of this speech are, of course, its use of the rarely appropriate verse from Kipling's Jungle Book, and its word-play upon "Illinois bear" and "Missouri Lamkin." But its structure should not escape attention. First to the past president, the speaker pays his genuine respects. Then to the defeated candidate for his office he extends the olive branch.

(From the stenographer's copy, as appearing in the *National Education Association Journal,* September, 1926.)

MADAM PRESIDENT, MEMBERS OF THE DELEGATE BODY:

I think that a newly elected candidate in one respect resembles a patient coming out from under the influence of ether or chloroform. The tendency is to talk at random and say injudicious things, and the best thing would be to confine him for a certain limited time within a room, on the door of which would be written those lines of Kipling from the Jungle Book:

There is none like to me,
Said the cub in the joy of his new-found skill;
But the jungle is large and the cub he is small,
Let him think and be still. [*Laughter.*]

But, Madam President, if I had had the choosing in this matter myself, which I did not, although I appreciate the honor to its very core, this gift of one's fellows to the highest position in education within the United States, if I could have selected for myself the time and circumstance of this election, I would have chosen to have come to this office some three or four times removed from your administration—an administration which has set new standards of brilliance and solid worth in the annals of this Association. [*Applause.*] And I congratulate you not only upon the great brilliancy and success of this administration of yours, but I congratulate you, Madam President, upon the fact that during your administration the badge of this Association has been the Liberty Bell. As a lad I read about that Liberty Bell and I thought of those cocksure royal governors who sought to perpetuate themselves and their policies irrespective of the desire of the people and what the ringing of that bell meant to them. With that historic background it occurs to me that it would be a fine thing if the Liberty Bell were made the permanent symbol and badge of this Association, to the end that the delegate body and the members of this Association shall always be absolutely free to change their policies and their organization without the let or hindrance of any of the members of the reigning educational dynasty. [*Applause.*]

To Mr. Lamkin and to the fine people who supported him, Illinois and all those who have been with Illinois extend the most hearty congratulations and the heartiest respect. I wish to assure you, Mr. Lamkin, and the fine people who stood with you from their own election and their own desire, that the door will always be open to you and them in the administration to come, and I can say that I am dead sure that the Illinois bear and the Missouri Lamkin will lie down in perfect peace and unanimity. [*Laughter and applause.*]

Now, what shall I say to those fine people from dear Alabama down to the Virgin Islands, that helped to take an ordinary paving

brick and by their energies lift it up to this great height? I can say to them that it is one of the grandest and most glorious feelings that ever came to me, and that I hope the brick which you have lifted up to these great heights will not arrogate to itself that this exaltation has turned it to silver or to gold, but that it will always recognize the great democratic policy of this organization, that he who is lifted up is lifted up for service, and that his service will be the larger when he consults and moves with the voice and the will of this great Association. I thank you. [*Applause.*]

## II. RESPONSE TO PRESENTATION AS TOASTMASTER

### JAMES HAMILTON LEWIS

*Speaker:* (See p. 235.)
*Occasion:* The twenty-fourth annual banquet of the Iroquois Club (Democratic) of Chicago, May 10, 1905.
*Audience:* Members of the club, guests. President Theodore Roosevelt was the guest of honor.

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For a discussion of one special qualtity of this speech, see *The Spoken Word,* p. 226.
(From a stenographic copy as appearing in Wood, *After-Dinner Speeches,* T. H. Flood & Co., Chicago, 1914.)

GENTLEMEN:

I am unable to offer you any other justification for the transfer of these proceedings from the genial and accomplished President of the Club to myself than may be found in the reasons advanced by our distinguished guest, some time since, wherein I was qualified for the Vice-Presidency.

We both—as had many others in official life—left our posts and entered the army in Cuba. He returned with brilliant reputation; I, with brilliant uniform. [*Laughter and applause.*] We both became candidates for the Vice-Presidency. He won. I, as was my habit, got beat. [*Laughter.*] During the campaign of 1900 mutual friends met us in the Auditorium Annex and began rallying us on our

fates. The then Governor Roosevelt said, "Never mind, Lewis, the fact that I won and you lost merely shows that the country recognized in us both qualities to represent the Vice President. They know I could represent the President part and you could represent the Vice." [*Laughter and applause.*]

President Gunther, I accept the trust with appreciation. I shall discharge it without delay.

## III. RESPONSE TO WELCOME

### CHAUNCEY M. DEPEW

*Speaker:* (1834–1928) President of the New York Central Railroad, 1835–1899; chairman of the board of directors since 1899; United States Senator from New York, 1899–1911; one of the most outstanding after-dinner and commemorative speakers of his generation.

*Occasion:* Welcome given Mr. Depew upon his return from Europe, New York Bay, September 16, 1891.

*Audience:* The speaker's railroad associates of the New York Central System.

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The occasion here sets the course of the speech, with the speaker centering his remarks around (1) familiar railroad reminiscences and (2) a recounting of recent travelling experiences.

(From *Life and Later Speeches of Chauncey M. Depew,* Cassell Publishing Company, 1894.)

The pleasantest day to me of all the year is the day that I meet you on my annual return from Europe. It brings us together in our old organization in a way that proves to the world that, under certain circumstances, corporations have souls. It shows that there is at least one organization in the world, of the largest capacity in capital invested and in the numbers employed, the harmony of whose members is such that for one day in the year they bury all conditions of rank and stand on a plane, in a friendship which is purely and simply a friendship that has been created by association in a common service.

These annual returns prove better than anything else the variations and vicissitudes of our American life. When I came back

last year the New York Central's horizon was covered with clouds. We had trouble in our organization. We had overcome it, it is true, but it was a trouble affecting the movements of our system, and affecting the results in our treasury. I come back this year to find that within the round of thirteen months, and with the same men, pursuing the same policy, the Central never was so prosperous in its whole career.

We are more richly laden than usual with the freight that we bring from the other side. You have here not only the president, but the treasurer, Mr. Rossiter, who has been put in that frame of mind by the cabled reports as to the condition of the "box" over which he so ably presides that he has smiled all the way over to such an extent that, if it had not been for his ears, the top of his head would have been an island. We have with us Mr. Cox, the most versatile of the gentlemen in the Grand Central Depot, who is the president of a microscopical society for scientific purposes, and who puts his microscope upon the statements of the officers of the New York Central and the other roads in the Vanderbilt system in a way that leads them to wish that he knew more about scientific microscopics and less about it when applied to finance.

We never had the pleasure of welcoming the Commodore [Cornelius Vanderbilt] home, because the Commodore never went abroad. It was not the fashion in those days for Americans to go abroad. Now they don't do anything else. But we welcomed William H. repeatedly. We have also welcomed Cornelius, and now we come to the fourth generation, and following the traditions of the family, we have William H. and Cornelius both on board.

There is one face which I miss, and it was one of the incidents which cast a gloom over our departure from the Old World. On every one of these annual visits of former years we have had with us Major Bundy. I met Bundy in London in full health and vigor. It was his first visit abroad, and he was enjoying with immense zest and enthusiasm the things he knew so well by his wide reading and vast information. I received a telegram at Liverpool that he had been stricken with apoplexy. Thinking that something might be done to help him, I telegraphed to that effect. I received in

reply a telegram at Queenstown that he had gone to his long home. Mr. Whitelaw Reid, our American Minister, with the affection and interest of a brother journalist, had done for him all that generosity, liberality, and human aid could do to make him comfortable and save his life. You will all join with me in the sentiment that a more honest journalist never wrote with pen than Major J. M. Bundy, and a truer friend in cloud and in sunshine never stood upon the earth.

It has been my custom to give you all the results of my travel, so that, without expense to yourselves, you could go with me everywhere and enjoy it, relieved from the attendant circumstances. And the attendant circumstances are seriously injurious to a bank account.

Having viewed so often the brilliant side of London's social life, it occurred to me that I would take a view of its dark side. One Sunday morning, in a garb which was a cross between that of a costermonger and a pickpocket, I traversed the Whitechapel district. It was a sight impossible to see anywhere else in the world. The streets were so crowded that it was almost impossible to wedge your way through. Every few feet was some merchant, male or female, selling the cast-off clothes or household furniture which came to them after having been worn or used through a dozen different grades before it reached Whitechapel. I saw rags held up there for sale that nowhere in America would find any place except in the ash barrel, and the ashman in picking it over would refuse to carry them home. Such poverty, such misery, such wretchedness, such a seething furnace of ignorance and all the attendants upon hopelessness, I never saw before and never expect to see again. I felt that this great city, with its magnificent palaces, with every evidence in part of it of the largest wealth, the greatest luxury, the most liberal expenditure, rested upon a volcano which only needed the force of civilization to bring upon it a catastrophe which would shock the world.

Within twenty minutes from that place you come to the annual parade in Hyde Park of all that is most splendid in rank, wealth, beauty, and dress in the British Empire. Miserable as these people have been always, their misery is a thousandfold intensified by

pauper immigration. Great Britain has established no barrier, as we have, and imposed no rules whatever. It is the dumping-ground of all Europe for misery which must starve or go somewhere. It goes to London and competes there with a condition so much better than its own that in the wages it accepts, in the work it does, it is reducing the British workingmen and workingwomen of the great cities to a dangerous point for British peace and prosperity. It is a lesson for us to take to ourselves, whether the barriers which we have already should not be increased, and whether notices should not be sent all over the world that "we have sympathy, we have humanity, but keep your paupers at home."

I received a telegram from Cornelius Vanderbilt, inviting me to join him for a trip through Turkey and Greece. The thermometer was 50° in London and 104° in Greece, and I thought I would go, just for a change. We read as we went along a lesson in women's rights. All through the fields of Europe the women were doing the plowing and the hoeing; the men were serving in the army. All through the fields of Turkey, Mahometanism is locking the woman up; she lives in idleness at home, while her husband does the work. The question which I propose to ask the women's rights advocates in this country is, Would you rather work in the fields as the women do in Central Europe, or live in idleness in harems, as they do in Turkey?

The methods of agriculture are those described in the Bible. They still thresh on a floor with the ox; they still garner their grain and plow it with a stick. The country where brigands' operations occur is better adapted for that than any country in the world. We went for about three hundred miles at the rate of about fifteen miles an hour on the Orient Express, the pride of Turkey. The Turk, who has never been accustomed to anything more rapid than a camel, looks in awe and wonder at the movement of this flying machine. This space of over three hundred miles is like our alkali plains, and all around are the bare walls of the Balkan Mountains. There are no houses, no roads, and no bridle paths, very few stations, and it is an ideal spot for holding up a train and committing an outrage. They stopped a train two weeks before us and took off four Germans without any trouble and let them

off for fifty thousand dollars. They took off a wealthy farmer from the train ahead of us, and got for him five thousand dollars. Their mode of operation is to secure their victim and take him into the Balkan fastnesses and send word to his friends that they want so much money for his release inside of ten days, and if it is not forthcoming they send on one of his ears. The next day they send the other ear, and the next day the nose, and so his family finally receives him in sections. Our train, having upon it opportunities never offered before to an enterprising brigand, went through without interruption. There were Mr. Cornelius Vanderbilt, his two sons, and myself. Brigandage in Turkey needs reorganization. It ought to be put in the hands of a New York syndicate, new officers put in command, and the enterprise put on a business basis. Then I think it could be successfully placed on the London market.

The most picturesque place in the world is Constantinople. The thing that struck me most in Turkey, visiting that grandest of Eastern cathedrals, the Mosque of St. Sophia, was this: When the Mahometan conqueror had sacked the city he summoned all Greece within this mosque, and told them that those who embraced Mahometanism should be spared and those who refused should be killed. He put his hand in the blood upon the floor and smeared it upon one of the great pillars of the temple, and said: "That hand rules forever after this country." I looked at that hand, and came to the conclusion that no glove store in America could furnish it with a glove to fit.

We went to the tombs of the Turkish Sultans. They do not bury them, but place them in wooden tombs with a cloth over them, because the Turk is simply encamped in Europe. Around him are his fortunate wives. The Sultan on the Turkish Easter marries a new wife. If she conduces to domestic happiness and peace and their tempers agree, she becomes a fortunate wife. Otherwise he divorces her, and that is the reason why the Sultan when he dies leaves so few of these fortunate wives. Every eligible man of the first rank wants one of these fortunate widows for his wife, because she receives a large dowry, and her husband becomes the brother-in-law of the Sultan.

Nothing afforded us greater pleasure than going through the islands of Greece and visiting Greece itself. Really it seemed wonderful for an old university man to be sailing by these places, the names of which had been pounded into him at the academy and stamped in him at the college. I never before appreciated how tremendous is the hold of antiquity upon all succeeding ages. The adventures of Ulysses are the pride of the scholar, the emulation of the voyager, of the explorer, and the sailor, and have been for three thousand years, and yet they covered less than three hundred miles. It is all in a space that in these days of steam you can see in twenty-four hours. The men who went to Troy could now get there in six hours.

The most interesting day we had was when we went upon the invitation of the American consul at Athens to visit the platform of Demosthenes. I never before understood the secret of Demosthenes's eloquence. You climb up a hill to a plain several hundred feet in extent. On each side of it are rough rocks rising about forty feet. On one side is the platform of Demosthenes, on the other side Mars Hill. A cut down the face of this rock makes a platform about thirty feet square, with three steps leading down to the ground. They had cut out benches for the cabinet officers of those times. On the top of the rock was the Temple of Jupiter, and it was customary before Demosthenes began to speak to pour out a libation to Jupiter to give him inspiration for the delivery of an address he had been three months preparing. The American consul said to his Greek lieutenant Alcibiades: "Pour out a libation to Jupiter on the rock." As the rich red Greek wine ran over the rock an expression of despair came over the face of Alcibiades such as was never seen on human countenance before. You stand on that platform, and then you understand the power of Demosthenes. Every citizen of Athens was a member of the Legislature, and it didn't cost him a cent to be elected. Demosthenes would have before him on a great occasion possibly twenty thousand or thirty thousand voters. Debate was impossible.

The orator who could sway these legislators was the dictator of the country. They had to vote *viva voce,* and Demosthenes, by his commanding eloquence, easily became the ruler of the Legislature.

I went up to Mars Hill and saw there the exact spot where the Apostle Paul stood. I thought I would see how far the Pauline eloquence and tenor could reach. Away off on the other side of the plain were twenty or thirty men engaged on a mountain road. I shouted with all my lungs, "Ye men of Athens, I perceive that in all things ye are too superstitious." They suspended work for the rest of the day.

But there is a disappointment in Athens, and that disappointment is the Maid of Athens. In view of what I expected in the way of temptation from reading Byron, that line about "Maid of Athens, e'er we part, give, oh, give me back my heart," and wanting to carry that essential part of my anatomy back untouched to my wife, I put a dinner plate inside of my vest and went down to the beach, where all Athens goes in the evening to get dinner. It is the same beach where Demosthenes walked up and down, improving his oratory with pebbles, I gazed at the Maid of Athens as earnestly and rapturously and as anxious to be enamored as did the young friends who were with me. But she is a disappointment. On Coney Island, Narragansett Pier, at Long Branch or Saratoga, Richfield Springs or Bar Harbor, at Pawling or Peekskill, we can beat her every day in the week.

The thermometer of Athens was 104° in our room, darkened and cool, and 122° in the shade in the park in front. At night the thermometer went down to 95° and the mosquito came in. He had all the peculiarities with which I had been made familiar in the New Jersey, Staten Island, and lower Westchester mosquito. Ordinarily I would have killed him if I could, but I let that Greek mosquito just fill his bill on me. I said: "Old man, you have feasted on Demosthenes, the blood of all the worthies of antiquity is concentrated in you, but let my new red American blood mingle with the blue current of the ages," and he let it. We were quite anxious to see the Tomb of Agamemnon. I suppose that there is no character in history so well impressed upon the boy as Agamemnon. He becomes familiar with him at both ends. He gets him with strap and admonition, and he has him like indelible ink, and we were anxious to see where he was buried, and if he was dead we would have liked to help bury him. As they have only

a narrow gauge road in Turkey, and the trains run slowly, Mr. Vanderbilt got a special train. All operations of every kind were suspended in Greece in astonishment over that special train. They never had had such a thing before. We got up at four o'clock in the morning, and as we went to the station saw the people lying on the sidewalks on account of the heat. It was a little station. The train went on to a larger station, where it could switch, and we rode across the plain, hot and dusty, with the thermometer about 120°, in the sun, climbed the roughest kind of a mountain for about an hour, and came to the Tomb of Agamemnon, being a large tomb of circular form in the mountain which would hold one hundred people. Then when we came up we looked over that desolate mountain, that hot, dusty, and desolate plain, over that wretched country which is not worth five cents an acre, and came to the conclusion that Helen was justified in running away. She certainly could not stand the situation, and she said to Paris, who was visiting the Court of Agamemnon, "Take me over to your father and mother," and the Trojans, being a chivalric people, and having been informed by Paris what kind of a country it was, said: "We will sacrifice our city before we will let any woman of refinement and culture go back to such a place of desolation."

We had a beautiful ride across the Adriatic and then a feast at Venice, which recalled all the glories of the Doges. Mr. Vanderbilt's courier arranged that I should be accompanied to the station at twelve o'clock at night by a gondola with torches and fireworks and colored lights in front and a gondola bearing a musical and operatic *troupe*, vocal and instrumental. The blaze of the fireworks, the red, white, and blue fire, drew from the canals every gondola in Venice. We went in triumph to the station with one hundred gondolas in our wake, with the fireworks and the music, and the procession of the last Doge going out to marry the sea paled into insignificance in comparison with an American railroad president going to take an Italian railway train.

There are few observations to make upon conditions as they prevail on the other side, because you have them here almost as well as you might have them there. Two subjects which are agitating Europe today are the Russian persecution of seven million Jews,

and that most remarkable thing, the fall of Bismarck. Three or four years ago, you will remember, when I told you of meeting the Emperor when Bismarck was in the height of his power, he was the greatest figure in the world. He held down the workingmen with an iron hand, fearing socialism, and he was the lord over the capitalists and nobles on the other. Today the workingman looks upon him as an enemy; the noble and capitalist follow power and are with the Emperor, and he is without place, power, or reverence, or anything that would solace the declining years of a statesman so great that, one hundred years hence, when the history of this century comes to be written, he will be the foremost figure.

## *4. Presentation*

### I. PRESENTATION OF GRAY'S ELEGY

#### WILLIAM JENNINGS BRYAN

*Speaker:* (See p. 5.)

*Occasion:* During the political campaign of 1890, Messrs. Byran and Connell, opposing candidates for the United States Congress from the first Nebraska district, held a series of eleven joint debates. The last of these debates was held at Syracuse, Nebraska, October 29th. A tremendous crowd was present, including special trains that brought crowds from the nearby cities. At the close of the debate, Mr. Bryan, in the following speech, presented Mr. Connell with a book containing Gray's Elegy as a memento of the campaign.

*Audience:* A typical political campaign audience, including voters from both the Democratic and Republican parties.

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It is almost too obvious to need pointing out that the effectiveness of this speech arises from the weaving in of appropriate quotations contained in the book presented. A general reference to this principle is found in *The Spoken Word,* page 240, and a short special reference is made to this speech on page 288.

(It is not known whether this is an advance copy written out in full or a stenographer's copy. The copy here given is from the *Lincoln Daily Star,* October 30, 1890, a copy of which was placed in my hands by Mr. C. A. Lord of Lincoln. It is identic with that appearing in the *Speeches of William Jennings Bryan,* vol. II, Funk & Wagnalls, 1909.)

MR. CONNELL:

We now bring to a close this series of debates which was arranged by our committees. I am glad that we have been able to conduct these discussions in a courteous and friendly manner. If I have, in any way, offended you in word or deed I offer apology and regret, and as freely forgive. I desire to present to you in remembrance of these pleasant meetings this little volume, because it contains "Gray's Elegy," in perusing which I trust you will find as much pleasure and profit as I have found. It is one of the most beautiful and touching tributes to humble life that literature contains. Grand in its sentiment and sublime in its simplicity, we may both find in it a solace in victory or defeat. If success should crown your efforts in this campaign, and it should be your lot "Th' applause of list'ning senates to command," and I am left

> A youth to fortune and to fame unknown,

forget not us who in the common walks of life perform our part, but in the hour of your triumph recall the verse:

> Let not ambition mock their useful toil,
> Their homely joys and destiny obscure;
> Nor grandeur hear, with a disdainful smile,
> The short and simple annals of the poor.

If, on the other hand, by the verdict of my countrymen, I shall be made your successor, let it not be said of you:

> And melancholy marked him for her own,

but find sweet consolation in the thought:

> Full many a gem of purest ray serene,
> The dark unfathomed caves of ocean bear;
> Full many a flower is born to blush unseen,
> And waste its sweetness on the desert air.

But whether the palm of victory is given to you or to me, let us remember those of whom the poet says:

Far from the madding crowd's ignoble strife,
Their sober wishes never learn'd to stray;
Along the cool sequester'd vale of life
They kept the noiseless tenor of their way.

These are the ones most likely to be forgotten by the Government. When the poor and weak cry out for relief they, too, often hear no answer but "the echo of their cry," while the rich, the strong, the powerful are given an attentive ear. For this reason is class legislation dangerous and deadly. It takes from those least able to lose and gives to those who are least in need. The safety of our farmers and our laborers is not in special legislation, but in equal and just laws that bear alike on every man. The great masses of our people are interested, not in getting their hands into other people's pockets, but in keeping the hands of other people out of their pockets. Let me, in parting, express the hope that you and I may be instrumental in bringing our Government back to better laws which will give equal treatment without regard to creed or condition. I bid you a friendly farewell.

## II. PRESENTATION OF A GAVEL

RANDALL J. CONDON

*Speaker:* Superintendent of schools, Cincinnati, Ohio.
*Occasion:* Opening session of the Department of Superintendence, National Education Association, Washington, D. C., February 22, 1926.
*Audience:* Members of the association; Dr. Frank W. Ballou was the presiding officer. For his speech of acceptance, see p. 268.

(Stenographic copy appearing in the *National Education Association Proceedings,* 1926, p. 676.)

MR. PRESIDENT:

I noticed that when you came upon the platform this morning you were fully equipped in all respects except one. It seemed especially appropriate that a presiding officer should have the badge of office with which he can enforce his decisions and as he

had forgotten that, it seemed that somebody else ought to remember it. Ohio being the state where presidents are made, or from which a number of them come, it seemed that we ought to, from that state, present to the president of this great Department the badge of his office, and as he taught for many years in Cincinnati, and was elected at the department meeting there, I decided it would be most appropriate that the gavel and block should be made in Cincinnati and presented from that city. Having decided that, it was easy to know where it should be turned, in the oldest high school west of the Alleghenies, and the school from which the Chief Justice of the United States graduated. Having decided that, I was somewhat in doubt as to the wood from which it should be made. I thought of Harriet Beecher Stowe. I thought of Stephen Foster and the grocery store in Cincinnati where he worked while he was writing or preparing to write those wonderful songs. "Way Down on the Swanee River" and all those other songs. I thought of Audubon. I thought of Powers. I thought of Theodore Thomas, but I was not sure whether they had left any wood behind them or not, and if they had, I decided that there was only one place in the United States from which the wood should be obtained, and I wrote to Antioch College and asked them if they could let me have some wood associated with Horace Mann in his administration of that college, and they sent me the wood from which, Mr. President, this block and gavel have been turned by the pupils of Woodward High School.

When the Horace Mann home was burned in 1924 at Antioch College, in Yellow Springs, there were very few pieces of furniture saved. Among them was a beautiful four-poster bed that had been the personal possession of Horace Mann, and they sent me a part of the split wood from that bed and from that wood the base of this block is made and from the laboratory table that Horace Mann installed in that institution, they sent me the cherry from which this gavel is made. I present them to you, Mr. President, to use during the sessions of this Department, and retain as your personal possession, knowing that in your hands they will exemplify those things for which Horace Mann stood.

With pleasure, we ask you to wield this gavel with justice and firm-

ness and with devotion to the high ideals for which Horace Mann lived.

## III. PRESENTATION OF PHI BETA KAPPA MEMORIAL HALL

### OSCAR M. VOORHEES

*Speaker:* National Secretary, Phi Beta Kappa Fraternity; editor of the Phi Beta Kappa *Key;* clergyman.

*Occasion:* Dedication of Phi Beta Kappa Memorial Hall at the Sesquicentennial celebration of founding the fraternity: at the College of William and Mary, Williamsburg, Virginia, November 27, 1926. (For speech of acceptance, see p. 268.)

*Audience:* Delegates from eighty-three of the chapters of Phi Beta Kappa; guests from learned societies, honorary, professional and social fraternities and sororities; faculty and students of the College of William and Mary.

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(From the Phi Beta Kappa *Key,* January, 1927.)

President Thwing, Fellow Members of Phi Beta Kappa, and Honored Guests:

It is indeed a pleasant duty that is assigned me. To be the dispenser of gifts is always pleasant. At this time it is doubly so.

The occasion is unique. We are recalling the past, for this beautiful structure is erected to the memory of fifty men of a generation that seems remote. However, they lived in a time that stirs the imagination and kindles the spirit of patriotism. We recall primarily not their patriotism, but their vision of sane methods to help obtain the important ends of society. Out of that vision arose a unique society destined to serve a worthy purpose in American educational development. To their memory and in their honor this Hall has been erected.

But why did Phi Beta Kappa wait a century and a half to do its founders honor? The answer is that for over a century their names curiously enough remained unknown. On January 6, 1781, their records, including the roster of members, were sealed up and the

identity of the Founders was not revealed for 115 years. It is true that the signatures of nineteen of them appeared on the charters of 1779, but so far as we are aware this list was never published. No effort was made during the first half century to capitalize the distinction attained by the Founders. Not until 1896 were their names revealed, and even then little effort was made to give them wide publicity. It is only in very recent years that attention has been paid to the remarkable lives and the distinguished services of the men who, in the stirring days of 1776, gave Phi Beta Kappa its being and its characteristics. We are now endeavoring to make amends for the delay in doing them honor.

The purpose to erect this Memorial came from a curious grouping of circumstances. Two principal streams of influence have flowed together to form the river of our purpose. The one had its source in the mind and heart of one of our members who, by reason of a serious physical infirmity, was compelled to live in practical seclusion. It was in the autumn of 1916 that Francis Phelps Dodge, a member of the Yale Chapter, offered to contribute anonymously $25,000 toward an endowment fund of $100,000 in order that the central organization, the United Chapters, might function more effectually. But the World War was on, and Phi Beta Kappa could not be persuaded that the time was opportune. The year 1917 passed and the fund was not raised.

Meanwhile another one of our members, who has no handicap but lack of time for multiplied activities, visited William and Mary and saw the ancient College housed in the same buildings that had sheltered it in 1776. The need suggested to him the propriety of a Memorial to the Founders of Phi Beta Kappa of a character to serve the pressing needs of the College, for it had determined to remain no longer in a chrysalis state. So he planted a suggestion in the minds of some historically minded Virginians and went his way, tramping over the hills of Palestine, from Beersheba to Dan, holding Phi Beta Kappa meetings in Jerusalem and elsewhere along the way, and doing other uncounted and unaccountable things, whereat Clio will never cease to wonder. I refer to John Huston Finley.

This suggestion awaited the end of the War before it found voice. Then the Senate and Council of 1919 were made aware that William

and Mary had a new though uninaugurated president, for to Harvard he came and asked that the plan of a memorial be given official sanction. It was a very modest request—that the Alpha Chapter be authorized to invite contributions to a fund for a building in memory of the Founders of Phi Beta Kappa. The idea came as a shock. Its full force could not be comprehended at once. So the Council referred it to the Senate, and the Senate referred it to a committee of which our president, Doctor Thwing, was chairman. Cordial approval was at length voiced. But funds came slowly. Members of Phi Beta Kappa had for generations been contributing to every other worthy cause—but never a dollar to their own Society. The old habit could not be broken in a day.

Meanwhile our recluse in New York had long, long thoughts. In due time he evolved a series of three proposals that could not be resisted. First, he gave to Phi Beta Kappa for a period of three—later extended to six—years a beautiful suite of rooms as National Headquarters. At once we ceased to be the almoner of churches that had provided office space for twenty years. In its new and commodious home Phi Beta Kappa seemed blessed indeed.

Then our good friend saw to it that the Secretary was freed from "worldly cares and avocations"—you recognize the ecclesiastical flavor of this phrase—that he might devote himself wholly to Phi Beta Kappa tasks. Such an offer was equally irresistible. The Senate was moved to accept it with enthusiasm. Then in January, 1922, our mentor reminded us that the 150th anniversary was approaching and should be fittingly celebrated. To this end he proposed that the erection of the Memorial Hall be made a Fraternity instead of an Alpha Chapter task, and that an appeal be made for an average contribution of $25, so that the Memorial might be erected, and a Sesquicentennial Endowment accumulated—his own share being a tithe of the amounts all the rest of us should contribute during a period of five years.

The bigness of this third PROPOSAL seemed appalling to some. Its very bigness, however, proved its chief attraction to others, and before long the purpose behind it will have captured us all. For how can any member of Phi Beta Kappa allow the Society's 150th Anniversary to pass without having a share in a worthy recognition of

its glorious past, and in this beautiful and appropriate memorial to our envisioned, not visionary, Founders?

So here we are with the first part of our sesquicentennial task completed. The vision of our peripatetic idealist stands complete, due in large measure to the zeal and forethought of our practically minded recluse.

The beauty of this building is due also to the skill and resources of the architect who planned and supervised with loving zeal its construction; to the faithful and painstaking efforts of the builder; and to the great company of artisans who labored under him that it might stand forth complete in all its parts. This faithfulness to structural ideals is recognized today, and I speak for my colleagues of the Phi Beta Kappa Senate, and for the host of Chapters and of members whom we represent when we express appreciation of this faithfulness. We trust that they all may have the conscious satisfaction of a worthy work well done.

We remind ourselves also that this stately structure represents the contribution of more than 4,000 members of Phi Beta Kappa, most of whom want to be reckoned as at least average members. And our plans are so arranged that those who join the noble phalanx of donors during the coming months may still have a share in this Memorial, and in the Educational Endowment that is to make Phi Beta Kappa an even larger force in fostering scholarship and scholarly ideals.

It is a source of keen satisfaction that this work of fraternal regard is completed and ready for use. It is indeed a memorial to men whose names and deeds we hold in high esteem. We take even deeper satisfaction in the fact that it is to serve a worthy educational purpose. Throughout the generations students at this venerable seat of learning will, as they gather here, be reminded of the students of former years to whose memory it has been reared. The story of this day will not be forgotten, nor the fact that in 1776 at this College a society was organized on such broad and solid foundations that it could continue for fifteen decades to maintain its devotion to the higher things of life, to things of the spirit, to things that make for character and stability of purpose.

Of the Founders themselves I cannot speak at length. Their names are before you. Others will more fully appraise their services. It

is planned on some later anniversary to place a tablet containing their names at the entrance to this Memorial Hall. Meanwhile we raise to them a shrine in our hearts, and praise God for them and for their services.

Nor can we allow the occasion to pass without a word of praise of the vision and foresight of our mentor, whose name I have mentioned. On January 14, of this year, 1926, his soul escaped from the bruised and buffeted tabernacle in which it had suffered restraint for many weary years. To him also we pay homage, for his name will here be kept in perpetual remembrance. By joint action of the Alpha Chapter and the Phi Beta Kappa Senate the room in this Hall to the right of the entrance, just opposite the replica of Apollo Hall in Old Raleigh Tavern, is to bear the name of, and to be a memorial to, Francis Phelps Dodge.

Humanly speaking, it is to his consecrated vision that we owe the larger purposes to which Phi Beta Kappa has laid its hand at this sesquicentennial period. It was essential that we should look backward and endeavor to appraise the gift of the past to our present. It is in larger measure essential that the way to the future should be illuminated by a large and holy purpose. As a small group in the stormy days of 1776 followed the leadership of John Heath, who prepared our motto, Φιλοσοφία Βίου Κυβερνήτης, and the medal with the hand pointing to the stars in the firmament of their high aspirations; so we, representatives of the great host of 50,000 living members of Phi Beta Kappa of 1926, behold the light kindled by the vision of Francis Phelps Dodge, and resolve that it shall have worthy incarnation in the days that are to be.

Will you, sharing this purpose, rise and stand for a moment at attention in honor of the fifty founders of 1776, and of their companion in vision and spirit whose soul has so recently gone to its reward? [While the audience stood the speaker continued]:

Doctor Bryan, it gives me the supreme satisfaction of my life, representing these members of Phi Beta Kappa and our honored guests here present, and also the great host of like spirits the world over whose thoughts are with us on this occasion, to place in your keeping and in the keeping of your associates on the Board of Visitors of the College of William and Mary, this Memorial Hall,

freighted as it is with sacred memories of those in whose honor it is erected; assured that you will accept our proffer and be happy in assuming the responsibilities that this gift entails.

## 5. *Acceptance*

### I. ACCEPTANCE OF MILITARY COMMISSION

GEORGE WASHINGTON

*Speaker:* A delegate from Virginia to the Continental Congress; former colonel in the Colonial militia.

*Occasion:* Considering the gravity of British-Colonial relations following the Battle of Lexington and Concord, the Continental Congress had authorized an army and chosen George Washington as commander-in-chief, June 15, 1775.

*Audience:* Continental Congress, Philadelphia.

MR. PRESIDENT:

Though I am truly sensible of the high honor done me, in this appointment, yet I feel great distress, from a consciousness that my abilities and military experience may not be equal to the extensive and important trust. However, as the Congress desire it, I will enter upon the service, and for the support of the glorious cause. I beg they will accept my most cordial thanks for this distinguished testimony of their approbation.

But lest some unlucky event should happen, unfavorable to my reputation, I beg it may be remembered, by every gentleman in the room, that I this day declare, with the utmost sincerity, I do not think myself equal to the command I am honored with.

As to pay, sir, I beg leave to assure the Congress, that as no pecuniary consideration could have tempted me to accept this arduous employment, at the expense of my domestic ease and happiness, I do not wish to make any profit from it. I will keep an exact account of my expenses. Those, I doubt not, they will discharge, and that is all I desire.

## II. ACCEPTANCE OF A GAVEL

FRANK W. BALLOU

*Speaker:* Superintendent of Schools, Washington, D. C., and President of the Department of Superintendence, National Education Association, 1925–1926.

*Occasion:* Upon receiving a gavel from Dr. Condon (see page 260) at the annual meeting of the Department of Superintendence, February 22, 1926, Washington, D. C.

*Audience:* Members of the association.

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(From stenographic copy appearing in the *National Education Association Proceedings*, 1926, p. 677.)

DR. CONDON, FELLOW SUPERINTENDENTS:

It is the ambition of your president to so preside over the sessions of the Department that he shall exemplify, as the last speaker has, the high ideals of devotion to our common profession. I could wish for no better success than to hope that, as your presiding officer, I shall fulfill my duties and responsibilities with the dignity, grace, and delight that Dr. Condon fulfilled his duty and obligations on this particular occasion. In that spirit, I accept this gavel with very great pleasure indeed.

## III. ACCEPTANCE OF PHI BETA KAPPA MEMORIAL HALL

JOHN STEWART BRYAN

*Speaker:* Vice-Rector, Board of Visitors, College of William and Mary; publisher of the *News Leader*, Richmond, Va.

*Occasion:* Dedication of Phi Beta Kappa Memorial Hall at the sesquicentennial celebration of founding the fraternity, College of William and Mary, Williamsburg, Va., November 27, 1926. (For presentation speech see p. 262.)

*Audience:* (See p. 262.)

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(From the Phi Beta Kappa *Key*, January, 1927.)

Doctor Thwing, Doctor Voorhees, Doctor Chandler, Ladies and Gentlemen:

Never in its long history has the College of William and Mary been the recipient of a building that is more interpretative of the spirit of learning, more redolent of the past, and more hopeful for the future than this impressive memorial, which, as Vice-Rector of the College of William and Mary, I accept today as a gift from thirty-five hundred members of Phi Beta Kappa.

Like all great institutions of learning, William and Mary finds no novelty in gifts. Already in the roster of her benefactors are a king and queen of England and the unhappy Louis XVI. Yet, as one reads the genesis of this college—and I suppose all colleges—the invariable fact emerges that often the largess poured out by royal patrons of the past was extorted by much begging, or given with little thought.

How different is the animus and motive behind this building! For it owes its conception, as Doctor Voorhees has said, solely to the desire of men to perpetuate and signalize a great movement and to clothe it with beauty and dignity. This has been done, and all of us who are the beneficiaries of the genius of 1776 and of the generosity of 1926 owe a debt of gratitude to the young men who founded Phi Beta Kappa, and to their fellow brothers in the high calling of learning who have made this building possible.

If the young men who conceived the idea of Phi Beta Kappa could be here today to take part in the celebration of giving and receiving this impressive building, no words could better express their sentiments than those which they early learned in their Catechism, that this whole edifice is but "An outward and visible sign of an inner spiritual grace."

They builded better than they knew. But it is not always the fortune of the builder and the discoverer never fully to appraise the ultimate significance of his achievement? He who can peer into the future and grasp the ramifications and extent of each new step upward and forward is not one to be hemmed in by mortality, for such powers belong to omniscience alone.

And yet, we must believe that these young men who set up philosophy as the pilot of life somehow knew that they had turned their

faces towards a shining goal that had in it the radiance of eternity. It is not the acquisition of knowledge, but the integration of experience that marks the depth and endurance of a man or of a civilization. Had these young founders of the most important fraternity in the world chosen as their ideal simply the joy of companionship or mere unrelated knowledge, they could never have hit upon so universal an appeal as that which has made Phi Beta Kappa not only the mentor, but the admiration of college ideals.

In 1776 republics were an untried experiment and the knowledge of biology was almost as rudimentary as that of steam. Eugenics, like aeronautics, lay in the wide womb of the unknown future, and yet, somehow, the young men of Williamsburg in 1776 must have felt very keenly that of all the powers which might be vouchsafed to man none was as potent or as far-reaching as the power of controlling human activity and developing human personality. They must have known then, those boys, as we know now, that to describe is not to explain, and that neither description nor explanation always gives control. We might, for example, understand the causes that would bring about a new ice age, without being able to prevent it. But above the mind of man is always gleaming the hope that some day man shall know how to evolve his own best powers.

> For ever and anon a trumpet blows
> From the hid battlements of eternity

calling men to wonder whether it be not possible to reproduce the age of Pericles or Shakespeare, and one may say, even if he is a Virginian, with all moderation, that in the field of politics the alumni of the College of William and Mary came very near setting up a standard that would place the students of this college in that day in the forefront of political workers and builders of all time.

It was not given to George Wythe, or his great pupils, Thomas Jefferson, John Marshall and James Monroe, to know what the future held. All they knew was that the eternal spirit of the human mind called youth to seek an imperishable guide, and that guide was the love of truth. Kingdoms have risen and fallen since then; old sciences have been destroyed; new sciences have reared their proud heads as if they would last forever; in time they, too, may fall, but

the helmsman to which these young men pinned their faith, the bark in which they placed their hopes are stronger and surer than ever before in the history of the world. Following the homing instinct of this human race, those young men seized their hour and used it to the full.

Two wars have swept over William and Mary. Fire and poverty have laid it low. The absence of professors and the failure of students have at times closed its doors, and yet the ship built by those young Argonauts sails on. And today, freighted with the golden fleece of pride, worship and honor from college men throughout the whole land everywhere, this modern Argo, laden with *spolia opima* far beyond the dreams of its builders, has come back to this building of immense impressiveness as to a safe haven. The purposes for which this structure stands make it a lighthouse for guidance and an open port for refreshment from which young mariners in the future shall go forth on ever new quests, yet bound together by that golden thread—the unifying purpose of Phi Beta Kappa, which was and is and will be to make the driving power of college life not passion, or power or pride of place, but philosophy, the sweet and reasonable love of wisdom.

## 6. *Farewell*

### I. FAREWELL TO THE UNITED STATES SENATE

THOMAS R. MARSHALL

*Speaker:* Vice President of the United States, 1913–1921.

*Occasion:* Last official act, after administering the oath to his successor in office, Calvin Coolidge, March 4, 1921.

*Audience:* Members of the United States Senate over whom the Vice President had been presiding officer for eight years.

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Here is a semi-personal, semi-official, farewell of public official to a official governing body. You will note the weaving in of both personal and official attitudes.

(From the *Congressional Record* of the above date, representing the copy as written out by Mr. Marshall in advance of delivery.)

SENATORS:

Very shortly I shall have ended my official life as the constitutional presiding officer of this body. That moment, when it arrives, will not mark my demotion into the ranks of the average American citizen, for I never arose above them.

I sprang from the loins of men who helped to lay the foundations of the Republic. At my birth my father placed upon my baby brow the coronal of a free-born American citizen. In my youth I was taught that if I wore it worthily, no prince nor potentate nor electorate could add to or detract from the honor of that royal coronet.

I may have failed but I have tried to keep the faith. I have never doubted that, so far as the principles of civil government are concerned, the pillars of Hercules rest upon the Declaration of Independence and the Constitution of the United States. To my mind there is no beyond. The forms under which the principles of the Republic are administered may need changes to meet changing conditions but the underlying idea does not, for truth is unchanging and eternal. What was so when the morning stars sang together will be so when the Angel of the Apocalypse appears.

I venture to express this much of that idea: A government dedicated to the inalienable rights of man to life, to liberty, and to the pursuit of happiness can find its perfect accomplishment only in representatives brave and strong enough to rise above the ambitions, passions, and prejudices of individuals and groups. Representative government was intended to guaranty these inalienable rights of men through the enactment and enforcement of laws calculated to preserve and promote equal and exact justice to all men. Religions die because priests mumble their creeds but have no faith in their gods. Governments go to wreck because their statesmen shout aloud their shibboleths but let a friendly enemy pass the ford.

I freely grant the right of this people to change our form of government and to adopt other basic principles, but, if it is to be done, let it be done decently and directly so that all of us may know it. The old faith has already too many sleek and smiling Joabs asking of it, "Is it well with thee, my brother?"

While the old order endures let representatives represent the old

ideals; let it be understood that they are not mere bell boys, subject to calls for legislative cracked ice every time the victims of a debauch of greed, gambling, or improvidence feel the fever of frenzied need.

The life is more than meat and the body more than raiment. It is of minor importance who holds the wealth of the Nation if the hearts of all its people beat with true historic American throb. The clothes may mark but the clothes can not make the gentleman. The economic rehabilitation of America is of vast moment but the rehabilitation of the ancient faith which upheld the ragged Continentals, emerged in pristine glory from the throes of civil war, and hurled its smiling and undaunted face against the grim engines of tyranny upon the fields of France, is a far greater work.

It is enough—perhaps too much. Who am I to suggest, even with shame-faced timidity, anything to you? For eight long years, crowded with events which have forever changed the currents of the world's history, I have been with you. I come to the end of them with a feeling of heartfelt gratitude to you all for those little, nameless, unremembered acts of kindness and charity which have marked your friendship and good will. You have been good to me. The odor of your friendship will sweeten any air that I may breathe. Not one of you can wish for himself a kindlier fate than I would give you if I were omnipotent.

I go but you remain. I leave with the same inarticulate cry in my soul with which I came to you: "My country." It is no new nor unusual cry for the American, but it has, I fear, myriad concepts. To some it means broad acres and fertile fields; to many, opportunity for personal perferment; to a thoughtless few, the right to utter every vagrant word which finds lodgment in a mind diseased; to the half educated, that democracy should be governed as soon by the infant's cry as by the prophet's warning. But to me it is but the composite voice of all the good and wise and self-sacrificing souls who trod or tread its soil, calling for that liberty which is law-encrowned, preaching that doctrine which seeks not its own but the common good and, above all, warning us by the memory of the dead and the hope of the unborn to close our ears to the mouthings of every peripatetic reformer who tells us that the way to sanctify

the Republic is to remove every landmark which has hitherto marked the boundaries of national and individual life.

It is no new religion we need. Our creed should be: One Lord, one faith, one baptism—the Lord of Justice, who was with Washington at Valley Forge, Grant and Lee at Appomattox, Pershing on the fields of France; the faith that under a republican form of government alone democracy permanently can endure; the baptism of that spirit which will not be content until no man is above the penalties and no man beyond the protection of our laws.

Let him who goes and him who stays remember that he who saves his life at the loss of his country's honor, loses it, and he who loses his life for the sake of his country's honor, saves it. [*Applause.*]

And now, by virtue of the power in me vested, I declare the Senate of the Sixty-sixth Congress of the United States adjourned sine die.

## II. FAREWELL TO HIS FRIENDS

### JOHN SHARP WILLIAMS

*Speaker:* For twenty-eight years a Congressman and Senator from Mississippi.

*Occasion:* Shortly before his voluntary retirement, March 4, 1923, from the United States Senate, the Mississippi Society of Washington held for Senator Williams a farewell dinner. He had not expected to speak and, when called upon, his remarks were wholly impromptu. The genuineness of his desire for the repose mentioned in the speech was emphasized by the fact that he had just refused, among other offers, one of a syndicate offering him $30,000 a year for one short article a week on any subject he chose to discuss.

*Audience:* Members of the Mississippi Society of Washington and guests—all of them being personal friends of the guest of honor.

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Here is a wholly frank and personal farewell of a man to close friends. He speaks, not as a retiring Senator, but as a man among friends.

I am going back to Yazoo City and to my old home on a rural free-delivery route. I want to get up again each morning as I hear the roosters crow. I want to pick flowers while the dew is still on them. Then, I want to come back and have my coffee and breakfast.

Later on, if I am so fortunate as to have any left in these days, I want to stir myself a toddy whenever I feel that I would like one.

Through the middle of the day I will read books, putter around the place, and talk to my neighbors. At noon I will leisurely eat my dinner. After dinner I will read some more, and then late in the evening, I will eat supper—and notice that I call it supper, this last meal of the day. That is what we call it in Mississippi.

And as night and the time for bed approaches, I will listen to the greatest chorus of voices that man ever heard, music that will charm me and make me ready for repose—the voices of my mocking birds, trilling from the trees.

In that way I want to live the rest of my life. And when the end comes, I hope to be carried out of the house by my neighbors and laid to rest among my people.

Now some may say that it is not a very wonderful future—all of this I have mapped out for myself—but I say there is merit in calm retirement. Right now I feel that it is more a real life than being a Senator of the United States who serves his people by joining in the petty squabbles that occupy so much time of the Senate today. I may have grown cynical from long service, but this is a tendency I do not like, and I sometimes think I'd rather be a dog and bay at the moon than stay in the Senate another six years and listen to it.

Perhaps it is a sign that I ought to retire. For retirement brings repose, and repose allows a kindly judgment of all things. As for me, it shall also mean a calm in which to make peace with myself and a season to spend in the quiet of my home and in the friendship of my neighbors.

## III. FAREWELL TO MEMBERS AT SESQUICENTENNIAL OF PHI BETA KAPPA

### FRANCIS W. SHEPARDSON

*Speaker:* Vice President, United Chapters of Phi Beta Kappa; faculty of department of American History, University of Chicago, 1893–1917; director of Julius Rosenwald Fund since 1921.

*Occasion:* Virginia Dinner, the closing exercise of sesquicentennial of Phi

Beta Kappa, at College of William and Mary, Williamsburg, Va., November 27, 1926.

*Audience:* Members of eighty-three chapters of Phi Beta Kappa; guests.

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No comparison can be made of this with the two preceding farewell speeches without taking into account the speakers' purposes. In those preceding, the speakers in effect were saying, "Good-bye." Here he is saying "Carry on to higher levels." This difference in purpose compels an utterly different type of speech. This illustrates what was meant in the preface by saying that classifications, valuable though they be for a study of the *occasion*, does not relieve the speaker from a study of the *purpose*.

(From the Phi Beta Kappa *Key*, January, 1927, representing the stenographer's notes of an extempore speech.)

This afternoon some of us went to Jamestown. We saw there a statue erected to one who, if the story told in the school books be true, once gave an ultimatum, "Those who will not work shall not eat." In this historic peninsula of Virginia one may hear many voices, many echoes from the past, if he be so inclined. Others of us went to Yorktown, where, one October day in 1781, the weary troops of Cornwallis marched out to lay down their arms to the dismal tune, "The World's Turned Upside Down." I want to turn John Smith's famous declaration upside down and make it read, "Those, who have eaten, now must work." We have been fed bountifully by the Alpha of Virginia today, both at this "Virginia dinner" and at the luncheon at noon. Now it is time to work.

In 1831 William Short, one of our founders who became a noted diplomat, wrote to Edward Everett, the great orator whose speech, "Washington: The Beacon Light," brought so many contributions for the Washington Monument in the capital city, Everett, the real orator of the day at Gettysburg whose two hours' address is forgotten in the memory of President Lincoln's classic—about another one of the founders, Samuel Hardy, who caught the idea of extending Phi Beta Kappa to the different States as a factor in binding them more closely together. The notion of this fraternity as a binding force in the Union may seem curious on first thought. But it was the same idea that was behind Samuel Adams, Patrick Henry and others in establishing the committees of correspondence as the Revolution neared. In later years many declared that, had the men

of culture in different parts of the Union been better acquainted with the personality and thought of one another, the Civil War never could have come. Perhaps Samuel Hardy had a real vision when he proposed to send out into every State agents of union wearing the medal and bearing the name of Phi Beta Kappa.

Today such ambassadors of the friendliness of culture have met, coming from all parts of a far greater country than Samuel Hardy ever dreamed, to show interest in a nation-wide movement for the encouragement of scholarship, the first results of which have been visualized in yonder Memorial Hall. We have a letter from the leader of that movement, the chairman of the Phi Beta Kappa Foundation, Mr. Darwin P. Kingsley. It reads:

[Here follows Mr. Kingsley's letter which details the situation of the financial campaign for the Phi Beta Kappa Foundation.]

Mr. Kingsley's letter is a report and a commission. It sends each "friendly ambassador" here back home with something definite to do. On Thursday I had a dream of years realized. I visited Gettysburg. I wanted to see where Pickett's men made their famous charge. I wanted to stand where Abraham Lincoln stood when he uttered immortal sentences. And on that field of inspiration for American citizens, I heard a voice, speaking four great words, "for us, the living." We are celebrating the completion of a century and a half today. But Phi Beta Kappa is not a thing of the past. It is a living force. It looks forward to another hundred and fifty years, please God a thousand years, during which it shall be a factor in the lives of selected youth, a power in the encouragement of a finer American culture. We have begun a campaign for a million dollars for Phi-Beta Kappa. The first part of our program has been completed. We have built and dedicated a Memorial to the fifty founders. They did something for us in "the first year of the commonwealth." The fifty thousand of us who are living members of this fraternity should do something in the one hundred and fifty-first year for those who are to follow us. I know of no more fitting way to bring to a close the program of this memorable day than by repeating the lines of a Southern poet which so well state the reason why we should go for-

ward to the completion of the "unfinished task" which remains "for us, the living."

An old man, going a lone highway,
  Came in the evening, cold and gray,
To a chasm vast, both deep and wide.
  The old man crossed in the twilight dim,
The swollen stream was as naught to him,
  But he stopped, when safe on the farther side,
And built a bridge to span the tide.

"Old man," said a fellow pilgrim near,
  "You are wasting your strength in labor here.
Your journey will end with the closing day,
  You never again will pass this way,
You have crossed the chasm deep and wide,
  Why build you this bridge at even tide?"

The laborer lifted his old gray head,
  "Good friend: In the way I have come," he said,
"There followeth after me this day
  A youth whose feet must pass this way.
This chasm which has been but naught to me
  To that fair-haired youth may a pitfall be.
He, too, must cross in the twilight dim,
  Good friend: I am building this bridge for him."

# II. AFTER-DINNER SPEECHES

## *1. Having Chiefly a Serious Purpose*

### I. THE COST OF HERITAGE

EDWIN P. MORROW

*Speaker:* Governor of Kentucky, 1920–1924.
*Occasion:* The 37th Annual Dinner of the New York Southern Society, December 13, 1922. (For Junius Parker's speech introducing Governor Morrow, see p. 236.)
*Audience:* Members of the society; ladies in the gallery.

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After-dinner audiences, be it remembered, listen on a full stomach and in a holiday mood. To make them listen to serious thoughts demands care both in introducing and in treating such thoughts. This speech challenges attention in both of these aspects.
(The stenographic copy, as appearing in the *Year Book*, 1922–1924, of the New York Southern Society.)

MR. TOASTMASTER, LADIES AND GENTLEMEN:

I would be most remiss if I did not first thank the Toastmaster for the very, very beautiful tribute which he has paid to my state. I would be more remiss if I did not thank each of you for the very charming courtesy which you paid to my fellow Kentuckians as you rose with them to the song "My Old Kentucky Home." However, that song is not just the song of Kentucky, because combining as it does in its heart of melody the mysteries of moonrise and sunrise, and the tenderness of twilight, the memory of a mother crooning soft and low in the light of hostile fires, it speaks a universal language, and tugs with memory's hand at the heart-strings of every wanderer as it speaks to him, no matter who he is, of his own home. [*Applause.*]

Our Toastmaster has said that one of the pristine glories of Kentucky has entirely passed away.

THE TOASTMASTER: Presumably. [*Laughter.*]

GOVERNOR MORROW: Presumably, he says. That uncomfortable fact is one of the things which made me the more ready to accept the invitation of the Southern Club in New York City. If the District Attorney will pardon me (turning to District Attorney Banton)—there is a rumor running through Kentucky that while we have plenty of the white left down there, and a great scarcity of the red, that both of them can be found in great abundance in New York City. [*Laughter.*]

Speaking of that scarcity, reminds me of one of my dear old friends in the mountains of Kentucky in my home town, old Uncle Sid Hardgrove. He lived some fourteen miles from the county seat, on the waters of Back Creek. On one big court day, as I was mixing through my friends and fellow citizens, I came across Uncle Sid anchored in front of the courthouse, watching the horseshoe game. I had been at his home many times hunting and fishing, so I went up and shook hands with the old man, and finally asked about his folks, how they were getting along. He said, "Well, Ed, I will tell you. We ain't a-doin' much good. There's just one trial and tribulation after another a-comin' on us, I don't know how I'm a-goin' to bear it."

I said, "Come on over to the office, I want to talk with you a while."

So, we went over to the law office, and I got out a certain black quart bottle, and having trouble getting the cork out of it, I said, "Well, Uncle Sid, what is the matter with you, you seem mightily dispirited."

He said, "Well, son, I just s'pose it's the Lord-a-chastenin' of me, just one tribulation after another a-comin' on me. There's Molly, my wife, she's down, she's got a misery in her back, an' she can't do a bit of work in the world. My boy cut his heel workin' in the tie woods, and he's laid up. That land of mine is so thin and poor you can't make body and soul meet on it, and that gal I have got is a-givin' me a sight of worriment, and besides that, I've lost the best fox hound I ever had in my life." [*Laughter.*]

Naturally, I was sorry for the old man, and I said, "Well, Uncle Sid, I am distressed by it, but take a drink."

He said, "I believe I will; that is mighty likely lookin' liquor."

He took a half tumblerful and drank it down clean and neat without any water, sat around a while and turned in his chair, spat clear across the office and hit a spittoon just like a rifle shot. Finally he began to tap his old galluses, and directly I said, "Well Uncle Sid, I'm worried about your troubles."

He said, "Well, son, I just s'pose it's the Lord a-chastenin' of me, course, Molly's down, but she's got a good patent medicine, I think she'll be about in a little while. The boy has cut his heel, but then Nature will take care of that, everything heels if you'll give it a chance. That land is thin in spots where I've worked the life out of it but my Pap and my Grandpap before me lived on it, and I guess I can, and besides, the Hardgroves are blooded people, they don't give up, they go against the bit. Of course that gal is a worriment, but that's Providence, she's just lively, and even if that gal is sassy, you can't help them things. And of course now, I did lose Old Ring, I lost my fox hound, but then Uncle Walter Sanders, my next-door neighbor on the other side of the big bluff, he owns a big pack of dogs. I can sit outside the kitchen on a silent night, when the stars come out like daisies in the meadowfield, with the moon right in the silvery sky, I can hear him running, I can tell who is in front, and who is behind, and doggone, it's pretty near as good as if I owned a pack of hounds myself, and I don't have to feed 'em besides."

We talked a while, the old man placed his old horn-rimmed specs on the back of his head, and I said, "Take another dram." He said, "I believe I will," and he took another one.

We sat and talked a while, and I said, "Uncle Sid, it's too bad about your troubles."

"Troubles? Why Ed, who ever told you I had any troubles? Molly was down last spring, but she got a patent medicine that cured her, she's up, she can take hold of a single tree and pull as much as ary mule in the place can. That boy of mine had some trouble, but it didn't amount to nothing, and that land of mine, of course there is spots that I have worn out, but Ed, you know that big fourteen-acre tract in the bend of the creek, I'll be dadgone if you can't throw the timothy up in the air and it lights a-growin'. Now, of course there is that idiot gal, she's an idiot, Ed, but then she's safe; and the neighbors right across the creek from me, they have three gals,

and from what I hear in the neighborhood they are certainly givin' 'em a sight of trouble. Of course, now, I did lose my fox hound, I lost him, but then wasn't he old? He was toothless, and last time I took him out, before all my neighbors he took the back trail and disgraced me. It was time for him to die. And, besides that, Ed, I forgot to tell you, old Bets has got five of the finest fox hound pups ever raised on Back Creek. They will be a year old this Fall, come out Ed, and bring the County judge with you, and the prosecuting attorney and all your friends, and we'll run them up the big Turkey-foot Hollow and around the Horseshoe Bend, and we'll come back home, and there'll be food, feathers and liquor for everybody." [*Laughter.*]

Under some considerations—mind you, I say some, Mr. Toastmaster,—there is tragedy in the statement you have made here tonight.

Just for a little while tonight, sons and daughters of America, may I talk to you of the debt and its payment?

The most despicable of all God's creatures is he who owes an honest debt and who can, but will not pay it. As sons and daughters of the Republic, we are debtors—debtors not because of a written instrument which we have solemnly signed and which has been duly attested, but debtors for services rendered, for deeds and acts performed for our high benefit and our ever-lasting good; debtors upon an implied contract with a consideration that sounds in honor and which, though unseen, bears the great seal of the Nation, impressed in the blood of all "the deathless dead."

We are debtors for the American heritage in which each of us is joint, free and equal heir; the Heritage—that is the all in all of every freeman—the source of that faith and power which enables every American to stand erect with the conscious pride that he is the equal of any man on earth; the Heritage—so great and yet to us so free that we sometimes forget what it cost and what it means to us; the Heritage—a government of the people, by the people and for the people—the right to worship God in the dictates of our own conscience—free thought and free speech that is light and hope—the avatar of progress—a land of free chance and open opportunity, where no door of birth or blood or caste bars the footsteps of

high ambition or honest worth—a land where the plow boy "as he runs the furrows of corn may see in the distance, the gilded dome of the Nation's Capitol," and though he learn his letters by the flickering light of a log fire, he may come from the portals of a rude cabin to walk the paths of glory and to guard and guide and save a Nation. The free Heritage—and yet for which we owe a debt, the sum of which can not be measured in cold terms of dollars and cents. The obligation is too infinite for figures.

Sons of the Republic, if we would know the sum of our obligation, we must know the cost of the Heritage. Would you know its cost—then value the bloody footprints in the snows of Valley Forge; number the dead from Lexington to Yorktown; place, if you can, a price on the heroism of the ragged Continentals, battling that the sublime declaration might be established forever as Truth and Fact. Would you know the cost of our Heritage—then we must remember the unnamed dead who died on the slippery decks of battling ships that the waves of ocean might be forever free to the sails and the flag of our land. If we would know the cost of the Heritage, we must vision the march of civilization ever to the West; we must behold the pioneers as they threw themselves beyond the walls of the Appalachians into the unknown wilderness; we must count the toil and the suffering and the deaths along the wilderness road, stained then with blood and darkened with tragedy, but golden now in song and story. We must remember the pathfinders, the moccasined feet of our heroes, who broke the path for those who sought new homes and new opportunities. We must remember the early days, "when the crack of the pioneer's rifle, the ringing blow of the woodman's ax, the savage cry of the Red Skin and the crooning love song of a mother as she rocked her baby on the puncheon floor, all mingled into the music of the forests; the epic of the American woods." We must behold Lewis and Clark as starting from the Missouri, guided by the pointing finger of an Indian girl, they crossed the Great Divide, found the mouth of the great river at the sea, that there might be held for us the Empire of the great far Northwest.

The march of civilization as romantic as the Crusades, as men, aye, and women and children, pushed their way ever westward

across the plains, beyond the frowning barriers (of the Rockies) down to the waves of another ocean. If we would know the cost of the Heritage, we must follow the footsteps of George Rogers Clark, with his knights in buckskin from the Falls of the Ohio, past Kaskaskia, through ice and snow, through difficulties that immortalized endurance, on to old Vincennes, where they took from the sky of the new world the banner of England and gave to our flag the glorious stars which glitter to the names of Indiana, Illinois, Ohio and Michigan. If we would know the cost of the Heritage, we must number the broken handclasps gone forever, the silent graves from Gettysburg to Atlanta, all made and given as we wrought our destiny in that strife between brothers, so cruel then, but which forgotten and forgiven now, forms a common fountain of inspiration, from which there drink alike the sons of the North and the South.

Would we know the worth of our Heritage—then we must estimate the value of the great shield which like the sky bends and arches above us all, which protects every home, guards every fireside and secures our every right—the Constitution of these United States of America. The Constitution which night and day says to each of us, "I am the rock of ages, on which there rest secure the pillars of the Republic. I found a people, few and scattered. I bound them together. Under my sway they have grown and flourished. I have seen them cover an Empire, and though divided into many sovereignties, I have linked them all together with my motto, 'The many in one.' I have withstood foes within and I have resisted foes from without, though tried by fire and sword, 'I still endure because I am eternally right.' "

If we would know the cost of the Heritage, we must hear the spirit voices of America's golden youth, coming from the poppy fields of France across the waves of the ocean as they speak to our souls, saying, "Drink ye of the last great National sacrament, for this is my blood that was spilled for you." We must hear the cry of the wounded from our hospitals of pain and suffering, saying, "This is my body, broken for you."

Free government, free land, free institutions, open chance, National righteousness and the traditions of all the past—such is the Heritage. Bought for us by all the suffering, all the toil, all the

hopes and prayers of those who through the drifted years have served America. Held for us by all the dead who have fallen beneath the flag, given into our hands free and stainless by all the sacrifice of the past. Such is our Heritage. So has it been bought. So do we hold and enjoy the heirship. Is there no obligation upon us? Is there no debt which calls for payment? Aye, there is a debt. A debt that can not be paid in legal tender—it must be paid through the mint of soul and heart. It must be paid by holding, even as it came to us, that which has been given—by preserving that which was bought for us at the great price—by the perpetuation of our blessings, by the maintenance of the faith and the hope of the fathers, by the preservation of free government made and administered by the people. We must pay the debt that the dead may sleep in honor.

We must make payment by our confidence—that we of the blood of those who founded and made this government will be great enough and wise enough to keep and preserve it. Make payment by faith in the Constitution—by the belief that the instrument which was elastic enough to save us during more than a hundred years of growth and change and development will be strong enough to hold us as a sheet anchor for the rocks and shoals, no matter what storms and tempests may beat upon us in the days to come. Make payment by eternal vigilance to the end that the Heritage shall be sure guarded, safe, defended and secure. Without boast of pride nor the vaunting of a mighty power, let us see to it that we are never helpless and that the Heritage shall never lie defenseless.

To this end make no jest of your armed men—make no painted toy of your battling ships. God help us to keep forever a watchman on the towers of Freedom. God help us to keep ever alight the fires of patriotism burning in the hearts of our people and the love of the land beating strong and true in the war-scarred breast of the Nation.

I know that your guests will pardon me if for a moment I speak alone to the members of the Southern Society, to those who come from the land of the Conservative; from the country of a few great cities but of many towns and hamlets and many homes; from the land of clean Anglo-Saxon stock, which holds today within its breast less of alien blood, breeding less of alien strife, than any other

section of our common country. I sometimes feel that there may be reserved for the Southland the patriotic duty of clinging and always holding against fate and circumstance to the simple faith of the founders and the builders of our Government. In this day of strange beliefs, of far, far driftings from our ancient landmarks, in this time of unrest and discontent, there comes the hour in which we may pay our debts. I believe in the honor of the sons and daughters of the Republic. I know they will pay the debt in measure heaped up full and running over.

Tonight you are gathered together in the name of that land to which your heart "is turning ever"—and though far from the scene of this festive board—the old home county, the old home town tugs at your heartstrings. There comes back to you the faces of the loved and lost—brothers, sisters and sweet-hearts. Past generations of your blood call to you. Fox-hunting grand-sires—laced and ruffled grandmothers, gallants and ladies, and "memory throws the light of other days around you." There comes to you the smell of the new-turned earth, the recollections of spring, of summer and of golden autumn with arms filled with gathered sheaves, and Indian Summer weaving her tapestries of red and brown and gold, to throw them like blankets of glory over field and hill. There comes to your ears the plaintive song of the negroes in the cabins as they thrum their banjos beneath the witchery of the moon-light, flooding the rolling blue-grass and fields of cotton white. Such is the memory of the land that never forgot a son, and we hear her voice as she speaks to us tonight.

I am the land of thy fathers,
In me the virtue stays,
I will bring back my children,
After certain days.

Under your feet in the grasses
My clinging magic runs.
You shall never return as strangers,
You shall always remain my sons.

Under your steps on the pavements,
Over your head in the street,

I weave an incantation
And I draw you back to my feet.

Scent of the smoke in the evening,
Smell of the rain in the night,
The hours, the days and the seasons,
Order your souls aright.

Till I make plain the meaning
Of all my many years—
Till I fill your hearts with knowledge,
While I fill your eyes with tears.

[*Applause.*]

## II. THE NEW SOUTH

### HENRY W. GRADY

*Speaker:* Editor of the *Atlanta Constitution.* Born, 1850, at Athens, Ga.; boyhood education interrupted by General Sherman's invasion of Georgia during the Civil War, but later completed at Universities of Georgia and Virginia; his father, a Confederate soldier, was killed at Petersburg; at Grady's death (1889) he was the intellectual leader of the "New South" discussed in this speech.

*Occasion:* The 81st annual banquet of the New England Society of the city of New York, December 22, 1886. Never before, in these 81 years, had any Southerner addressed this society. Grady could make or mar the offer of conciliation contained in the invitation.

*Audience:* Being members and guests of the society, practically all were natives or descendants of natives of New England.

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Here we have a setting where the speaker must discuss the most dangerous subject of his age without reopening wounds not yet healed. So opposed were sectional viewpoints upon the issues involved, that argument must inevitably lead to aggravated differences. In manner, if the speaker were too reserved, it might be laid to hauteur. If he were too friendly, it might be misinterpreted as abject fawning. Yet through these tangled obstacles, he must promote good will between North and South. His methods are worthy of emulation. Without any attempt to set them out in full, attention is called to the fact that he opened with a conciliatory statement from a great Southern leader and closed with a quotation from Daniel Webster, idol of New England.

(Representing the stenographic copy appearing in the *Year Book* of the New England Society.)

Mr. President and Gentlemen:

"There was a South of slavery and secession—that South is dead. There is a South of union and freedom—that South, thank God, is living, breathing, growing every hour." These words, delivered from the immortal lips of Benjamin H. Hill, at Tammany Hall in 1866, true then, and truer now, I shall make my text to-night.

Let me express to you my appreciation of the kindness by which I am permitted to address you. I make this abrupt acknowledgment advisedly, for I feel that if, when I raise my provincial voice in this ancient and august presence, I could find courage for no more than the opening sentence, it would be well if, in that sentence, I had met in a rough sense my obligation as a guest, and had perished, so to speak, with courtesy on my lips and grace in my heart. [*Laughter.*] Permitted through your kindness to catch my second wind, let me say that I appreciate the significance of being the first Southerner to speak at this board, which bears the substance, if it surpasses the semblance, of original New England hospitality [*applause*], and honors a sentiment that in turn honors you, but in which my personality is lost, and the compliment to my people made plain. [*Laughter.*]

I bespeak the utmost stretch of your courtesy to-night. I am not troubled about those from whom I come. You remember the man whose wife sent him to a neighbor with a pitcher of milk, and who, tripping on the top step, fell, with such casual interruptions as the landing afforded, into the basement; and while picking himself up had the pleasure of hearing his wife call out: "John, did you break the pitcher?" "No, I didn't," said John, "but I be dinged if I don't!" [*Laughter.*]

So, while those who call to me from behind may inspire me with energy if not with courage, I ask an indulgent hearing from you. I beg that you will bring your full faith in American fairness and frankness to judgment upon what I shall say. There was an old preacher once who told some boys of the Bible lesson he was going to read in the morning. The boys finding the place, glued together

the connecting pages. [*Laughter.*] The next morning he read on the bottom of one page: "When Noah was one hundred and twenty years old he took unto himself a wife, who was"—then turning the page—"one hundred and forty cubits long [*laughter*], forty cubits wide, built of gopher-wood [*laughter*], and covered with pitch inside and out." [*Loud and continued laughter.*] He was naturally puzzled at this. He read it again, verified it, and then said: "My friends, this is the first time I ever met this in the Bible, but I accept it as an evidence of the assertion that we are fearfully and wonderfully made." [*Laughter.*] If I could get you to hold such faith to-night I could proceed cheerfully to the task I otherwise approach with a sense of consecration.

Pardon me one word, Mr. President, spoken for the sole purpose of getting into the volumes that go out annually freighted with the rich eloquence of your speakers—the fact that the Cavalier as well as the Puritan was on the continent in its early days, and that he was "up and able to be about." [*Laughter.*] I have read your books carefully and I find no mention of that fact, which seems to me an important one for preserving a sort of historical equilibrium if for nothing else. Let me remind you that the Virginia Cavalier first challenged France on this continent—that Cavalier John Smith gave New England its very name, and was so pleased with the job that he has been handing his own name around ever since—and that while Miles Standish was cutting off men's ears for courting a girl without her parents' consent, and forbade men to kiss their wives on Sunday, the Cavalier was courting everything in sight, and that the Almighty had vouchafed great increase in the Cavalier colonies, the huts in the wilderness being full as the nests in the woods.

But having incorporated the Cavalier as a fact in your charming little books I shall let him work out his own salvation, as he has always done with engaging gallantry, and we will hold no controversy as to his merits. Why should we? Neither Puritan nor Cavalier long survived as such. The virtues and traditions of both happily still live for the inspiration of their sons and the saving of the old fashion. [*Applause.*] But both Puritan and Cavalier were lost in the storm of the first Revolution; and the American

citizen, supplanting both and stronger than either, took possession of the Republic bought by their common blood and fashioned to wisdom, and charged himself with teaching men government and establishing the voice of the people as the voice of God. [*Applause.*]

My friend Dr. Talmage has told you that the typical American has yet to come. Let me tell you that he has already come. [*Applause.*] Great types like valuable plants are slow to flower and fruit. But from the union of these colonist Puritans and Cavaliers, from the straightening of their purposes and the crossing of their blood, slow perfecting through a century, came he who stands as the first typical American, the first who comprehended within himself all the strength and gentleness, all the majesty and grace of this Republic—Abraham Lincoln. [*Loud and continued applause.*] He was the sum of Puritan and Cavalier, for in his ardent nature were fused the virtues of both, and in the depths of his great soul the faults of both were lost. [*Renewed applause.*] He was greater than Puritan, greater than Cavalier, in that he was American [*renewed applause*], and that in his homely form were first gathered the vast and thrilling forces of his ideal government—charging it with such tremendous meaning and so elevating it above human suffering that martyrdom, though infamously aimed, came as a fitting crown to a life consecrated from the cradle to human liberty. [*Cheers.*] Let us, each cherishing the traditions and honoring his fathers, build with reverent hands to the type of this simple but sublime life, in which all types are honored; and in our common glory as Americans there will be plenty and to spare for your forefathers and for mine. [*Renewed cheering.*]

In speaking to the toast with which you have honored me, I accept the term, "The New South," as in no sense disparaging to the Old. Dear to me, sir, is the home of my childhood and the traditions of my people. I would not, if I could, dim the glory they won in peace and war, or by word or deed take aught from the splendor and grace of their civilization—never equaled and, perhaps, never to be equaled in its chivalric strength and grace. There is a New South, not through protest against the Old, but because of new conditions, new adjustments and, if you please, new ideas and aspirations. It is to this that I address myself, and

to the consideration of which I hasten lest it become the Old South before I get to it. Age does not endow all things with strength and virtue, nor are all new things to be despised. The shoemaker who put over his door "John Smith's shop. Founded in 1760," was more than matched by his young rival across the street who hung out this sign: "Bill Jones, Established 1886. No old stock kept in this shop."

Dr. Talmage has drawn for you, with a master's hand, the picture of your returning armies. He has told you how, in the pomp and circumstance of war, they came back to you, marching with proud and victorious tread, reading their glory in a nation's eyes! Will you bear with me while I tell you of another army that sought its home at the close of the late war—an army that marched home in defeat and not in victory—in pathos and not in splendor, but in glory that equaled yours, and to hearts as loving as ever welcomed heroes home. Let me picture to you the footsore Confederate soldier, as, buttoning up in his faded gray jacket the parole which was to bear testimony to his children of his fidelity and faith, he turned his face southward from Appomattox in April, 1865. Think of him as ragged, half-starved, heavy-hearted, enfeebled by want and wounds; having fought to exhaustion, he surrenders his gun, wrings the hands of his comrades in silence, and, lifting his tear-stained and pallid face for the last time to the graves that dot the old Virginia hills, pulls his gray cap over his brow and begins the slow and painful journey. What does he find—let me ask you, who went to your homes eager to find in the welcome you had justly earned, full payment for four years' sacrifice—what does he find when, having followed the battle-stained cross against overwhelming odds, dreading death not half so much as surrender, he reaches the home he left so prosperous and beautiful? He finds his house in ruins, his farm devastated, his slaves free, his stock killed, his barns empty, his trade destroyed, his money worthless; his social system, feudal in its magnificence, swept away; his people without law or legal status, his comrades slain, and the burdens of others heavy on his shoulders. Crushed by defeat, his very traditions are gone; without money, credit, employment, material or training; and, besides all this, confronted with the

gravest problem that ever met human intelligence—the establishing of a status for the vast body of his liberated slaves.

What does he do—this hero in gray with a heart of gold? Does he sit down in sullenness and despair? Not for a day. Surely God, who had stripped him of his prosperity, inspired him in his adversity. As ruin was never before so overwhelming, never was restoration swifter. The soldier stepped from the trenches into the furrow; horses that had charged Federal guns marched before the plow, and fields that ran red with human blood in April were green with the harvest in June; women reared in luxury cut up their dresses and made breeches for their husbands, and, with a patience and heroism that fit women always as a garment, gave their hands to work. There was little bitterness in all this. Cheerfulness and frankness prevailed. "Bill Arp" struck the keynote when he said: "Well, I killed as many of them as they did of me, and now I am going to work." [*Laughter and applause.*] Or the soldier returning home after defeat and roasting some corn on the roadside, who made the remark to his comrades: "You may leave the South if you want to, but I am going to Sandersville, kiss my wife and raise a crop, and if the Yankees fool with me any more I will whip 'em again." [*Renewed applause.*] I want to say to General Sherman—who is considered an able man in our parts, though some people think he is a kind of careless man about fire—that from the ashes he left us in 1864 we have raised a brave and beautiful city; that somehow or other we have caught the sunshine in the bricks and mortar of our homes, and have builded therein not one ignoble prejudice or memory. [*Applause.*]

But in all this what have we accomplished? What is the sum of our work? We have found out that in the general summary the free negro counts more than he did as a slave. We have planted the schoolhouse on the hilltop and made it free to white and black. We have sowed towns and cities in the place of theories and put business above politics. We have challenged your spinners in Massachusetts and your iron-makers in Pennsylvania. We have learned that the $400,000,000 annually received from our cotton crop will make us rich, when the supplies that make it are home-raised. We have reduced the commercial rate of interest

from twenty-four to six per cent, and are floating four per cent bonds. We have learned that one Northern immigrant is worth fifty foreigners, and have smoothed the path to southward, wiped out the place where Mason and Dixon's line used to be, and hung our latch-string out to you and yours. [*Prolonged cheers.*] We have reached the point that marks perfect harmony in every household, when the husband confesses that the pies which his wife cooks are as good as those his mother used to bake; and we admit that the sun shines as brightly and the moon as softly as it did "before the war." [*Laughter.*] We have established thrift in city and country. We have fallen in love with work. We have restored comfort to homes from which culture and elegance never departed. We have let economy take root and spread among us as rank as the crabgrass which sprang from Sherman's cavalry camps, until we are ready to lay odds on the Georgia Yankee, as he manufactures relics of the battlefield in a one-story shanty and squeezes pure olive oil out of his cotton-seed, against any down-easter that ever swapped wooden nutmegs for flannel sausages in the valleys of Vermont. [*Continuous laughter.*] Above all, we know that we have achieved in these "piping times of peace" a fuller independence for the South than that which our fathers sought to win in the forum by their eloquence or compel on the field by their swords. [*Loud applause.*]

It is a rare privilege, sir, to have had part, however humble, in this work. Never was nobler duty confided to human hands than the uplifting and upbuilding of the prostrate and bleeding South, misguided perhaps, but beautiful in her suffering, and honest, brave and generous always. [*Applause.*] In the record of her social, industrial, and political illustrations we await with confidence the verdict of the world.

But what of the negro? Have we solved the problem he presents or progressed in honor and equity towards the solution? Let the record speak to the point. No section shows a more prosperous laboring population than the negroes of the South; none in fuller sympathy with the employing and land-owning class. He shares our school fund, has the fullest protection of our laws and the friendship of our people. Self-interest, as well as honor, demand

that he should have this. Our future, our very existence depend upon our working out this problem in full and exact justice. We understand that when Lincoln signed the Emancipation Proclamation, your victory was assured; for he then committed you to the cause of human liberty, against which the arms of man cannot prevail [*applause*]; while those of our statesmen who trusted to make slavery the cornerstone of the Confederacy doomed us to defeat as far as they could, committing us to a cause that reason could not defend or the sword maintain in the sight of advancing civilization. [*Renewed applause.*] Had Mr. Toombs said, which he did not say, that he would call the roll of his slaves at the foot of Bunker Hill, he would have been foolish, for he might have known that whenever slavery became entangled in war it must perish, and that the chattel in human flesh ended forever in New England when your fathers—not to be blamed for parting with what didn't pay—sold their slaves to our fathers—not to be praised for knowing a paying thing when they saw it. [*Laughter.*]

The relations of the Southern people with the negro are close and cordial. We remember with what fidelity for four years he guarded our defenceless women and children, whose husbands and fathers were fighting against his freedom. To his eternal credit be it said that whenever he struck a blow for his own liberty he fought in open battle, and when at last he raised his black and humble hands that the shackles might be struck off, those hands were innocent of wrong against his helpless charges, and worthy to be taken in loving grasp by every man who honors loyalty and devotion. [*Applause.*] Ruffians have maltreated him, rascals have misled him, philanthropists established a bank for him, but the South, with the North, protests against injustice to this simple and sincere people. To liberty and enfranchisement is as far as law can carry the negro. The rest must be left to conscience and common sense. It should be left to those among whom his lot is cast, with whom he is indissolubly connected and whose prosperity depends upon their possessing his intelligent sympathy and confidence. Faith has been kept with him in spite of calumnious assertions to the contrary by those who assume to speak for us or by frank opponents.

Faith will be kept with him in the future, if the South holds her reason and integrity. [*Applause.*]

But have we kept faith with you? In the fullest sense, yes. When Lee surrendered—I don't say when Johnston surrendered, because I understand he still alludes to the time when he met General Sherman last as the time when he "determined to abandon any further prosecution of the struggle"—when Lee surrendered, I say, and Johnston quit, the South became, and has since been, loyal to this Union. We fought hard enough to know that we were whipped, and in perfect frankness accepted as final the arbitrament of the sword to which we had appealed. The South found her jewel in the toad's head of defeat. The shackles that had held her in narrow limitations fell forever when the shackles of the negro slave were broken. [*Applause.*] Under the old régime the negroes were slaves to the South, the South was a slave to the system. The old plantation, with its simple police regulation and its feudal habit, was the only type possible under slavery. Thus we gathered in the hands of a splendid and chivalric oligarchy the substance that should have been diffused among the people, as the rich blood, under certain artificial conditions, is gathered at the heart, filling that with affluent rapture, but leaving the body chill and colorless. [*Applause.*]

The Old South rested everything on slavery and agriculture, unconscious that these could neither give nor maintain healthy growth. The New South presents a perfect democracy, the oligarchs leading in the popular movement—a social system compact and closely knitted, less splendid on the surface but stronger at the core—a hundred farms for every plantation, fifty homes for every palace, and a diversified industry that meets the complex needs of this complex age.

The New South is enamored of her new work. Her soul is stirred with the breath of a new life. The light of a grander day is falling fair on her face. She is thrilling with the consciousness of growing power and prosperity. As she stands upright, full-statured and equal among the people of the earth, breathing the keen air and looking out upon the expanding horizon, she understands that her emanci-

pation came because in the inscrutable wisdom of God her honest purpose was crossed and her brave armies were beaten. [*Applause.*]

This is said in no spirit of time-serving or apology. The South has nothing for which to apologize. She believes that the late struggle between the States was war and not rebellion, revolution and not conspiracy, and that her convictions were as honest as yours. I should be unjust to the dauntless spirit of the South and to my own convictions if I did not make this plain in this presence. The South has nothing to take back. In my native town of Athens is a monument that crowns its central hills—a plain, white shaft. Deep cut into its shining side is a name dear to me above the names of men, that of a brave and simple man who died in brave and simple faith. Not for all the glories of New England—from Plymouth Rock all the way—would I exchange the heritage he left me in his soldier's death. To the foot of that shaft I shall send my children's children to reverence him who ennobled their name with his heroic blood. But, sir, speaking from the shadow of that memory, which I honor as I do nothing else on earth, I say that the cause in which he suffered and for which he gave his life was adjudged by higher and fuller wisdom than his or mine, and I am glad that the omniscient God held the balance of battle in His Almighty hand, and that human slavery was swept forever from American soil—the American Union saved from the wreck of war. [*Loud applause.*]

This message, Mr. President, comes to you from consecrated ground. Every foot of the soil about the city in which I live is sacred as a battle-ground of the Republic. Every hill that invests it is hallowed to you by the blood of your brothers, who died for your victory, and doubly hallowed to us by the blood of those who died hopeless, but undaunted, in defeat—sacred soil to all of us, rich with memories that make us purer and stronger and better, silent but staunch witnesses in its red desolation of the matchless valor of American hearts and the deathless glory of American arms —speaking an eloquent witness in its white peace and prosperity to the indissoluble union of American States and the imperishable brotherhood of the American people. [*Repeated cheers.*]

Now, what answer has New England to this message? Will she permit the prejudices of war to remain in the hearts of the con-

querors, when it has died in the hearts of the conquered? [*"No! No!"*] Will she transmit this prejudice to the next generation, that in their hearts, which never felt the generous ardor of conflict, it may perpetuate itself? [*"No! No!"*] Will she withhold, save in strained courtesy, the hand which straight from his soldier's heart Grant offered to Lee at Appomattox? Will she make the vision of a restored and happy people, which gathered above the couch of your dying captain, filling his heart with grace, touching his lips with praise and glorifying his path to the grave; will she make this vision on which the last sigh of his expiring soul breathed a benediction, a cheat and a delusion? [*Tumultuous cheering and shouts of "No! No!"*] If she does, the South, never abject in asking for comradeship, must accept with dignity its refusal; but if she does not; if she accepts in frankness and sincerity this message of good will and friendship, then will the prophecy of Webster, delivered in this very Society forty years ago amid tremendous applause, be verified in its fullest and final sense, when he said: "Standing hand to hand and clasping hands, we should remain united as we have been for sixty years, citizens of the same country, members of the same government, united, all united now and united forever. There have been difficulties, contentions, and controversies, but I tell you that in my judgment

> Those opposed eyes,
> Which like the meteors of a troubled heaven,
> All of one nature, of one substance bred,
> Did lately meet in th' intestine shock,
> Shall now, in mutual well-beseeming ranks,
> March all one way."

[*Prolonged applause.*]

## III. THE PURITAN AND THE CAVALIER

### HENRY WATTERSON

*Speaker:* (1840–1921) Author, journalist, politician, ex-colonel in the Confederate Army. Founder and editor, Louisville *Courier-Journal;* U. S. Congressman, 1876–1878.

*Occasion:* The 89th annual banquet of the New England Society in the City of New York, December 22, 1894, responding to the toast, "The Puritan and the Cavalier."
*Audience:* Members and guests of the society.

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Baldly put, here is a Southerner who dares to say to sons of New England, "This vaunted tradition of our being descendants of Puritans or of Cavaliers is a hoax." But he uses not those words. And so convincingly does he discuss and so charmingly does he talk, that his hearers are moved toward his conclusion.

MR. PRESIDENT AND GENTLEMEN:

Eight years ago to-night, there stood where I am standing now a young Georgian, who, not without reason, recognized the "significance" of his presence here,—"the first Southerner to speak at this board" (a circumstance, let me add, not very creditable to any of us)—and who, in words whose eloquence I cannot hope to recall, appealed from the New South to New England for a united country.

He was my disciple, my protégé, my friend. He came to me from the Southern schools, where he had perused the arts of oratory and letters, to get a few lessons in journalism, as he said; needing so few, indeed, that, but a little later, I sent him to one of the foremost journalists of this foremost city, bearing a letter of introduction, which described him as "the greatest boy ever born in Dixie, or anywhere else."

He is gone now. But, short as his life was, its heaven-born mission was fulfilled; the dream of its childhood was realized; for he had been appointed by God to carry a message of peace on earth, good will to men, and, this done, he vanished from the sight of mortal eyes, even as the dove from the ark.

I mean to take up the word where Grady left it off; but I shall continue the sentence with a somewhat larger confidence, and perhaps with a somewhat fuller meaning; because, notwithstanding the Puritan trappings, traditions, and associations which surround me —visible illustrations of the self-denying fortitude of the Puritan character and the somber simplicity of the Puritan taste and habit —I never felt less out of place in all my life.

To tell you the truth, I am afraid that I have gained access here on false pretenses; for I am no Cavalier at all; just plain Scotch-

Irish; one of those Scotch-Irish Southerners who ate no fire in the green leaf and has eaten no dirt in the brown, and who, accepting for the moment the terms Puritan and Cavalier in the sense an effete sectionalism once sought to ascribe to them,—descriptive labels at once classifying and separating North and South, verbal redoubts along that mythical line called Mason and Dixon, over which there were supposed by the extremists of other days to be no bridges, —I am much disposed to say, "A plague o' both your houses!"

Each was good enough and bad enough, in its way, while they lasted; each in its turn filled the English-speaking world with mourning; and each, if either could have resisted the infection of the soil and climate they found here, would be to-day striving at the sword's point to square life by the iron rule of theocracy, or to round it by the dizzy whirl of a petticoat! It is very pretty to read about the May pole in Virginia, and very edifying and inspiring to celebrate the deeds of the Pilgrim fathers. But there is not Cavalier blood enough left in the Old Dominion to produce a single crop of first families, while, out in Nebraska and Iowa, they claim that they have so stripped New England of her Puritan stock as to spare her hardly enough for farm hands. This I do know, from personal experience, that it is impossible for the stranger-guest, sitting beneath a bower of roses in the Palmetto Club at Charleston, or by a mimic log-heap in the Algonquin Club at Boston, to tell the assembled company apart, particularly after ten o'clock in the evening! Why, in that great, final struggle between the Puritans and the Cavaliers—which we still hear sometimes casually mentioned, although it ended nearly thirty years ago—there had been such a mixing up of Puritan babies and Cavalier babies during the two or three generations preceding it that the surviving grandmothers of the combatants could not, except for their uniforms, have picked out their own on any field of battle!

Turning to the *Cyclopædia of American Biography*, I find that Webster had all the vices that are supposed to have signalized the Cavalier, and Calhoun all the virtues that are claimed for the Puritan. During twenty years three statesmen of Puritan origin were the chosen party leaders of Cavalier Mississippi; Robert J. Walker, born and reared in Pennsylvania; John A. Quitman, born and reared

in New York, and Sargent S. Prentiss, born and reared in the good old State of Maine. That sturdy Puritan, John Slidell, never saw Louisiana until he was old enough to vote and to fight: native here, —an alumnus of Columbia College,—but sprung from New England ancestors. Albert Sidney Johnston, the most resplendent of modern Cavaliers,—from tip to toe a type of the species, the very rose and expectancy of the young Confederacy,—did not have a drop of Southern blood in his veins; Yankee on both sides of the house, though born in Kentucky a little while after his father and mother arrived there from Connecticut. The ambassador who serves our government near the French Republic was a gallant Confederate soldier and is a representative Southern statesman; but he owns the estate in Massachusetts where his father was born, and where his father's fathers lived through many generations.

And the Cavaliers, who missed their stirrups, somehow, and got into Yankee saddles? The woods were full of them. If Custer was not a Cavalier, Rupert was a Puritan. And Sherwood and Wadsworth and Kearny, and McPherson, and their dashing companions and followers! The one typical Puritan soldier of the war —mark you!—was a Southern, and not a Northern, soldier: Stonewall Jackson, of the Virginia line. And, if we should care to pursue the subject further back, what about Ethan Allen and John Stark and Mad Anthony Wayne, Cavaliers each and every one! Indeed, from Israel Putnam to Buffalo Bill, it seems to me the Puritans have had rather the best of it in turning out Cavaliers. So the least said about the Puritan and the Cavalier—except as blessed memories or horrid examples—the better for historic accuracy.

If you wish to get at the bottom facts, I don't mind telling you, in confidence, that it was we Scotch-Irish who vanquished both of you—some of us in peace, others of us in war; supplying the missing link of adaptability, the needed ingredient of common sense, the conservative principle of creed and action, to which this generation of Americans owes its intellectual and moral emancipation from frivolity and pharisaism, its rescue from the Scarlet Woman and the mailed hand, and its crystallization into a national character and polity, ruling by force of brains and not by force of arms.

Gentlemen—Sir—I, too, have been to Boston. Strange as the

admission may seem, it is true; and I live to tell the tale. I have been to Boston; and, when I declare that I found there many things that suggested the Cavalier and did not suggest the Puritan, I shall not say I was sorry. But, among other things, I found there a civilization perfect in its union of the art of living with the grace of life; an Americanism ideal in its simple strength. Grady told us, and told us truly, of that typical American, who, in Dr. Talmage's mind's eye, was coming, but who, in Abraham Lincoln's actuality, had already come. In some recent studies into the career of that great man, I have encountered many startling confirmations of this judgment; and from that rugged trunk, drawing its sustenance from gnarled roots, interlocked with Cavalier sprays and Puritan branches deep beneath the soil, shall spring, is springing, a shapely tree—symmetric in all its parts—under whose sheltering boughs this nation shall have the new birth of freedom Lincoln promised it, and mankind the refuge which was sought by the forefathers when they fled from oppression. Thank God, the ax, the gibbet, and the stake have had their day. They have gone, let us hope, to keep company with the lost arts. It has been demonstrated that great wrongs may be redressed and great reforms be achieved without the shedding of one drop of human blood; that vengeance does not purify, but brutalizes; and that tolerance, which in private transactions is reckoned a virtue, becomes in public affairs a dogma of the most far-seeing statesmanship. Else how could this noble city have been redeemed from bondage? It was held like a castle of the Middle Ages by robber barons who levied tribute right and left. Yet have the mounds and dikes of corruption been carried—from buttress to bell tower the walls of crime have fallen—without a shot out of a gun, and still no fires of Smithfield to light the pathway of the victor, no bloody assizes to vindicate the justice of the cause; nor need of any.

So I appeal from the men in silken hose who danced to music made by slaves and called it freedom, from the men in bell-crowned hats who led Hester Prynne to her shame and called it religion, to that Americanism which reaches forth its arms to smite wrong with reason and truth, secure in the power of both. I appeal from the patriarchs of New England to the poets of New England; from

Endicott to Lowell; from Winthrop to Longfellow; from Norton to Holmes; and I appeal in the name and by the rights of that common citizenship—of that common origin, back both of the Puritan and the Cavalier, to which all of us owe our being. Let the dead past, consecrated by the blood of its martyrs, not by its savage hatreds, darkened alike by kingcraft and priestcraft—let the dead past bury its dead. Let the present and the future ring with the song of the singers. Blessed be the lessons they teach, the laws they make. Blessed be the eye to see, the light to reveal. Blessed by tolerance, sitting ever on the right hand of God to guide the way with loving word, as blessed be all that brings us nearer the goal of true religion, true republicanism, and true patriotism, distrust of watchwords and labels, shams and heroes, belief in our country and ourselves. It was not Cotton Mather, but John Greenleaf Whittier, who cried:

> Dear God and Father of us all,
> Forgive our faith in cruel lies,
> Forgive the blindness that denies.
> Cast down our idols—overturn
> Our bloody altars—make us see
> Thyself in Thy humanity!

[*Prolonged cheers and applause.*]

## 2. *Having a Humorous Purpose*

### I. OUR GUEST OF HONOR

FREDERICK LANDIS

*Speaker:* A friend and political colleague of the guest of honor; United States Congressman from Indiana, 1903–1907; author; newspaper columnist.
*Occasion:* Indiana Society of Chicago, January, 1921.
*Audience:* Members of the Society, being natives or descendants of natives of Indiana; Will H. Hays, the guest of honor; guests.

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This represents the most common type of after-dinner speaking. It has none of those academic trappings which we call "unity" or "coherence"—and

needs none. Its sole aim was to make fellow Hoosiers laugh at Will Hays' expense, and to make him laugh with them—and it succeeded.

(The stenographic copy as appearing in the Indiana Society *Year Book* of 1921.)

MR. PRESIDENT AND GENTLEMEN:

The earth is still the Lord's, but not the "fullness" thereof. [*Laughter.*] And so it is harder to speak to you to-night. In fact my most successful banquet speeches have been delivered to audiences that were totally unconscious. [*Loud laughter.*]

But the law of compensation is with us. Along with Prohibition has come a larger faith in man. In the old days whenever a man reached for his hip pocket there was consternation; everybody tried to get away from him. How different it is here to-night! [*Laughter and applause.*]

Meeting for our historic purpose, we naturally think of the historic anniversary just past. A little over three hundred years ago the Pilgrims came to establish a land where every man could worship his Maker according to the dictates of his wife's conscience. [*Laughter.*] How the American Soul has flourished in the balmy climate of liberty! [*Laughter.*] One room was enough for the religious needs of the Pilgrims, but it takes five thousand golf courses to accommodate the Sunday devotions of their pious descendants. [*Laughter.*] A little while ago spirituality seemed lost in a multitude of frivolities; men seemed to have forgotten their Creator, but now we hear them calling to him from behind every bunker from Maine to California! [*Loud laughter.*]

This Society had trouble in securing a Guest of Honor for to-night. [*Laughter.*] First of all they came to see me about it, but as a Progressive who had just finished making speeches for Harding, I felt that was as much as any one man should be asked to submit to. [*Laughter.*] So I suggested Bill Hays. The Committee said: "What if this Senatorial Investigating Committee 'lands' on him? We don't want any Guest of Honor who may throw us down by being arrested right in the middle of the soup course!" [*Laughter.*]

But I said: "Don't worry; they may get some of them, but they'll

never get Bill!" I had faith in him—faith in his integrity and faith in his marvelous interference. [*Laughter.*]

I knew that he had been successful in politics for twenty years and never had been caught at it. [*Laughter.*]

And I knew that he had too fine a conception of the moral obligation of a church elder to let anybody catch him with the goods on him! [*Loud laughter.*]

But the Committee said: "Just to play safe, let's put the dinner off till January." [*Laughter.*]

Then came the election and the Investigating Committee adjourned sine die! [*Laughter.*] But Bill was ready for it. He actually came through with a deficit! [*Loud laughter and applause.*] Nobody knows how he managed to do it, but he had the books to prove it. [*Laughter.*]

It was as if he had spent two years in a livery-stable and come forth with an aroma of heliotrope! [*Loud laughter.*]

Other leaders have given us victory, but Bill Hays is the first one who ever gave us respectability. [*Laughter.*] After "saving the country" we always used to bathe in concentrated lye, but this time we went forth, calling Democrats to repentance! [*Laughter.*]

It is a wonderful thing for millions of Republicans to be reborn after a life-time of political depravity! [*Loud laughter.*]

And Bill not only gave us respectability; he gave us a family tree. We used to go back only to John C. Fremont, but now we go clear back to Lazarus! [*Loud laughter and applause.*]

This righteousness has had a wonderful effect on Republicans down home. They go around, wrapped in a mantle of iridescent exaltation, a fine frenzy of consecration, shading off into a determination, as sublime as it is severe, a determination to lead cold, drab lives of self-denial. [*Laughter.*]

We are mighty proud of Bill. There is absolutely nothing the people would not give him—unless they wanted it themselves. [*Laughter.*]

It is strange that he ever succeeded in politics; he took but little interest in it for years and did not begin to vote till well past sixteen. [*Laughter.*] He started as a poll-book holder and in the great fight just ended this Little Hoosier Giant held the United

States between his thumb and first finger just as lightly and just as blandly and just as confidently as he held that first poll-book. [*Applause.*]

And he has been able to grow in fame and not outgrow his millinery. [*Applause.*] When they took his measure for a halo it was found to be identical with that of the old slouch hat he used to wear while trying law-suits before a justice of the peace! [*Applause.*]

He has never been able to forget that he is a Republican. [*Applause.*] That's a horrible thing to contemplate, but it's so. [*Laughter.*] If Bill had been on the Ark, he would have given the Elephant the first state-room and thrown the Jackass overboard! [*Loud laughter.*]

If Bill's your friend, he'll get you out of jail, and the ability to radiate this assurance has been a priceless asset to him in politics! [*Loud laughter.*]

And he is broad. In the late campaign he was broad enough to let us Progressives work our heads off for his Standpat zoological garden and he has been able to keep his face straight up to the present moment. [*Loud laughter.*]

As a harmonizer he beats the world. He can make the other fellow furnish all of the harmony and then choke up as he wonders if he hasn't been a little bit too hard on Bill. [*Laughter.*]

I shall always regret that Bill didn't represent us at the Paris Peace Conference. [*Laughter and applause.*] He would have made two or three swift passess—[*loud laughter*] and those hostile nations would have fallen into such violent love-making that it would have been necessary to pull down the blinds! [*Loud laughter.*]

## II. THE QUALIFICATIONS OF A COLLEGE PRESIDENT

EDWARD C. ELLIOTT

*Speaker:* President of Purdue University.

*Occasion:* The Inaugural Dinner for the seventh president of Wabash College, Crawfordsville, Indiana, December 3, 1926.

*Audience:* See the speaker's salutation. In explanation of references made

in the speech, it may be added that the toastmaster was Judge A. B. Anderson of the United States Circuit Court of Appeals; the recently inaugurated president was Louis B. Hopkins; his "brother president" was Ernest M. Hopkins, president of Dartmouth College. President Matthew J. Walsh was from Notre Dame University. President W. L. Bryan was from Indiana University.

President Elliott, in consenting to the use of this speech, added that he did so with misgivings—that although such remarks were useful enough for assassinating time after banquet coffee, tobacco and toasts have grown cold, yet to attempt to reduce them to the printed page was both indiscreet and audacious. "It is little short of tragedy," says he, "to revive dead words and to make their ghosts walk in garments of black type." The editor, having heard this speech, heartily agrees that much is lost by putting it into "garments of black type," but that is ever true of speeches, and this speech holds quite enough value as a model to be preserved for study.

(From the stenographic notes.)

YOUR HONOR, MR. TOASTMASTER; MR. BABY PRESIDENT, AND MR. BROTHER PRESIDENT; PRESIDENTS, DEANS, DIRECTORS, PROFESSORS; AND MOST IMPORTANT OF ALL, YOU FATHERS AND SONS OF WABASH:

This has been an auspicious day for Wabash College. If I have heard aright today and tonight, the greatest man in Christendom has been secured as the President of this Institution we here celebrate. [*Laughter.*]

This is a great day for education in Indiana. A new captain has come to aid us in our campaign to gain new knowledge and to lose old ignorance. Indiana has a right to be proud today in that another distinguished citizen has been added to the rolls of service for the Hoosier State.

You will, I am sure, indulge me some expression of the pleasurable satisfaction which we of Purdue University have in welcoming this new leader of yours. We know that our tasks are to be made the easier, and we feel that the new successes in prospect for Wabash College will be shared by us. We of Purdue wish for you of Wabash new strength, new power, new victories all the while—save when you come to the Ross-Ade Stadium! [*Laughter.*]

I have heard, Your Honor, that you are a stern judge. Therefore, I hesitate to take any liberties with you on this occasion. Nevertheless, I am constrained to observe that, in your court tonight,

your witnesses or your jurymen, whatever they may be called, have paid absolutely no attention to your early admonitions for brevity. Presumably watches are for the purpose of recording the passage of time, or at least of providing insurance against that procrastination born of verbosity. Apparently, however, those displayed along this board are intended to be decorations for the banquet table and not for the guidance and limitations of their owners. [*Laughter.*] Mine, I trust, is a timely and not a temporizing instrument.

Mr. President, you have received much wise counsel and even more sound advice during this inauguration day. The mere fact that you still retain some semblance of human expression after the inaugural ordeal is convincing and persuasive testimony of your ability to carry the hidden responsibilities of your new office.

As I sat through the dignified and appropriate ceremony of this afternoon and listened to the wise philosophy and high instructions of your distinguished brother, I well knew that, being what you are, when you get into your job you will not pay the slightest attention to him or to his ranking experience. [*Laughter.*] I also have two brothers. I am the eldest and, therefore, I speak with that foreknowledge gained only from fraternal humiliation. [*Laughter.*]

It seems to me that, from their wealth of wisdom and from their oceans of experience, your wellwishers and your counsellors have neglected to contribute some of the little things that you will very greatly need. You have been told how essential to the success of Wabash were your capacity for leadership and your broad scholarship. The learned and indulgent President of Northwestern University has just painted an artistic word portrait that invests you with the halo of supernatural power. [*Laughter.*]

Now, Gentlemen, in my humble capacity as the maker of the last, as well as the best, speech of the evening, I regard it as my solemn duty to exhibit in this presence certain small though precious bits of garden variety philosophy which this neophytish President is going to need. In a sense I am betraying professional secrets. Yet as I look about me and note the high intelligence and the fine professional interest in everything that is going on, I feel certain

that what I am about to say will be received with profit, if not with confidence. [*Laughter.*]

The first requisite for success in the Presidential office, I submit, is not learning, is not scholarship, is not sacrificial devotion to service for youth—is not any one of the things to which high tribute has been paid today. Mr. President, I beg of you to know that the most necessary thing for your success at Wabash is that you have *a sound stomach.* [*Laughter.*] Speaking from personal experience, I am certain that your first, if not your greatest, responsibility is not that of establishing higher ideals for the College, is not that of selecting the right youth for your student body, is not that of providing effective leadership for your faculty—the hardest task you will have, Sir, especially during these first years in this hospitable Hoosier State, will be to eat all of the meals placed before you in public. If you succeed during your first year in running the gastronomic gauntlet [*Laughter*], no one will thereafter have any major reservations as to your presidential potentialities. I am tempted to say that a good executive digestion contributes as much to the external peace, to the internal harmony, and to the all-round success of a college as do those other things customarily mentioned.

Next, in the category of essentials for presidential success, I would call your attention to the invaluableness of *a good thick skin.* [*Laughter.*] Unless you are naturally pachydermous, or acquire by artificial means a rhinoceros-like hide, not only your days but also your nights will contain unnumbered hours of torture. The capacity for resisting, without seeming effort, your foes and particularly your friends [*laughter*], you will find to be the great first aid to physical peace and mental comfort in the high office to which you have been elevated.

Even the combined value of these two so often forgotten prerequisites is scarcely equal to the value of the third one. If you possess, as you are said to, that profound human organ known as the *conscience* [*laughter*], I advise that at the earliest possible moment you have a psychological operation performed completely extirpating that part of your physical and professional system. [*Laughter.*] With normal human beings this organ is at the best

a daily nuisance. For a president it is a discouraging handicap.

My good friend, President Bryan, during his address this afternoon, read to you certain mortality statistics of presidents. Personally, I did not think that this was in timely taste. [*Laughter and applause.*] However, statistical science is more often testy than it is tasty. The thought was registered in my own mind that the high professional death rate among college presidents is due more to faint stomachs, to thin skins, and to supersensitive consciences than to any of the ordinary causes referred to in the post mortem reports. President Bryan wondered what happened to presidents between the fifty-eighth and sixty-eighth birthdays. I believe I know. During their days of repentant retirement, each of these ex- and emeriti presidents tries to regain his digestion, to rebuild a normal human exterior, and covets that one thing without which the day of resurrection is postponed unto eternity—his conscience. [*Laughter.*]

I suppose, indeed I know, Sir, that you are proud tonight. [*Laughter.*] Any one of us in your place would be even prouder. But please do not be too proud. This ceremony and this gala occasion have a unique significance if I know the history of Wabash College.

My friend, Bishop Overs, lately returned from the Episcopalian Diocese of far-off Liberia, recently related this incident to me; or rather related it to my Rockne-interested son to whom President Walsh referred a little while ago. I have a suspicion that the Bishop spoke to the boy trusting that the moral would not be wasted upon me. It appears that an emigrant son of the Emerald Isle had spent his long life in this land of the free and equal as a humble street sweeper in one of our great American cities. In the due course of time and according to the inevitable law of nature, Michael was translated to the Great Beyond. There, to his great surprise, he found his spiritual self outside of the well-known pearly gates. His spiritual heart sank within him. He feared insuperable difficulties. To his overwhelming surprise, the gates immediately swung open and he was welcomed by the Keeper in a very matter-of-fact manner. "Good morning, Mike," said the Keeper handing him his tickets. "This red ticket is for your harp and the white one is for

your place in the choir. Now step along lively because there are others coming this morning."

Our hero took his place in the golden grandstand and performed his tasks with harp and Celtic voice industriously and effectively through several aeons. Eternity appeared to him to be a dullish long time as it did to his neighbors. One day from his high place in the celestial choir, he became aware of great excitement all through heaven. The bands were playing and there was much marching and counter-marching. Apparently much ado was being made over someone. From his distant seat among the heavenly musical host, Mike could not see all that he desired. That night after the day's work was done, he began to feel a resentment in the democratic heart which he had brought with him from earth. Having been on earth a Democrat, he retained a heavenly belief in the doctrine of equality. [*Laughter.*]

The morning following the unexplained and disturbing celebration, Mike left his place in the grandstand and went down to the heavenly headquarters. There he made bold to inquire of the Great Keeper why it was that after all these years heaven began to show personal discrimination. He referred feelingly to the simplicity of the exercises by which he had been admitted, and compared these to the hullabaloo and fanfare of yesterday when some unknown occupant of a new space in heaven had been welcomed. Saint Peter listened patiently to his protest and then said, "Now Mike, please do not get excited; to be sure there was an extraordinary celebration yesterday. Even when I tell you that this was held on account of the sudden and wholly unexpected arrival of Bishop X, you may not understand. You will understand though when I tell you that only about once in every one hundred thousand years does a Bishop ever get up here." [*Laughter and applause.*]

Therefore, President Hopkins, I beseech you to be humble. This inaugural celebration is in reality a testimony of honor to your office. Wabash College has done its utmost to be gracious, hospitable, and enthusiastic today; only once in every generation is there an opportunity to receive a new President to this Institution.

This afternoon, as you ended your notable address, Sir, there was loud and enthusiastic applause. For a moment I wondered why. [*Laughter.*] First I thought it was because you had finished. [*Re-*

*newed laughter.*] Then I thought that it was because of the things you had said. But these were not good reasons. [*Laughter and applause.*] Then I realized what I and many others now know to be the real explanation of that spontaneous outburst, expressive of the enthusiasm and enduring loyalty of your Wabash community. Your new supporters were not applauding time; they were not applauding logic or sentiment; they were applauding Hopkins, the man newly come among them. He is far greater than any speech, and he transcends the limits of time. [*Applause.*]

President Hopkins, may you ever have wisdom in your head. Better still, throughout all the many Wabash years ahead, may you have a song in your heart. [*Prolonged applause.*]

## III. THE BABIES

### SAMUEL L. CLEMENS

*Speaker:* (1835–1910) Better known by his *nome de plume*, "Mark Twain." Journalist, author, publisher; creator of "*Tom Sawyer*," and "*Huckleberry Finn*"; one of the most popular after-dinner speakers of his generation.

*Occasion:* Reunion banquet given by the "Army of the Tennessee" at Chicago, Ill., November 13, 1879.

*Audience:* Former members of the "Army of the Tennessee" with General U. S. Grant as the guest of honor. The General had just returned from his trip around the world.

MR. CHAIRMAN AND GENTLEMEN:

"The Babies!" Now, that's something like. We haven't all had the good fortune to be ladies; we have not all been generals, or poets, or statesmen; but when the toast works down to the babies, we stand on common ground—for we've all been babies. [*Laughter.*] It is a shame that for a thousand years the world's banquets have utterly ignored the baby, as if he didn't amount to anything! If you, gentlemen, will stop and think a minute—if you will go back fifty or a hundred years, to your early married life and recontemplate your first baby—you will remember that he amounted to a good deal—and even something over. [*Laughter.*]

You soldiers all know that when that little fellow arrived at

family headquarters you had to hand in your resignation. He took entire command. You became his lackey, his mere body-guard; and you had to stand around, too. He was not a commander who made allowances for the time, distance, weather, or anything else: you had to execute his order whether it was possible or not. And there was only one form of marching in his manual of tactics, and that was the double-quick. [*Laughter.*] He treated you with every sort of insolence and disrespect, and the bravest of you did not dare to say a word. You could face the death-storm of Donelson and Vicksburg, and give back blow for blow; but when he clawed your whiskers and pulled your hair, and twisted your nose you had to take it. [*Laughter.*] When the thunders of war sounded in your ears, you set your faces towards the batteries and advanced with steady tread; but when he turned on the terrors of his war-whoop [*laughter*], you advanced in—the other direction, and mighty glad of the chance, too. When he called for soothing syrup did you venture to throw out any remarks about certain services being unbecoming to an officer and a gentleman? No; you got up and got it! If he ordered his pap-bottle and it wasn't warm, did you talk back? Not you; you went to work and warmed it. You even descended so far in your menial office as to take a suck at that warm, insipid stuff yourself to see if it was right!—three parts water to one of milk, a touch of sugar to modify the colic, and a drop of peppermint to kill those immortal hiccoughs. I can taste that stuff yet! [*Uproarious laughter.*]

And how many things you learned as you went along! Sentimental young folks still take stock in that beautiful old saying, that when the baby smiles in his sleep it is because the angels are whispering to him. Very pretty, but "too thin"—simply wind on the stomach, my friends. [*Laughter.*] If the baby proposed to take a walk at his usual hour—half-past two in the morning—didn't you rise up promptly and remark (with a mental addition which wouldn't improve a Sunday-school much) that that was the very thing you were about to propose yourself? Oh, you were under good discipline. And as you went fluttering up and down the room in your "undress uniform" [*laughter*], you not only prattled undignified baby-talk, but even tuned up your martial voices and tried to sing "Rock-

a-bye-baby on the tree-top," for instance. What a spectacle for an Army of the Tennessee! And what an affliction for the neighbors, too, for it isn't everybody within a mile around that likes military music at three o'clock in the morning. [*Laughter.*] And when you had been keeping this sort of thing up two or three hours, and your little velvet head intimated that nothing suited him like exercise and noise, and proposed to fight it out on that line if it took all night—"Go on!" What did you do? You simply went on till you dropped in the last ditch. [*Laughter.*]

I like the idea that a baby doesn't amount to anything! Why, one baby is just a house and a front yard full by itself; one baby can furnish more business than you and your whole interior department can attend to; he is enterprising, irrepressible, brimful of lawless activities; do what you please, you can't make him stay on the reservation. Sufficient unto the day is one baby. As long as you are in your right mind don't you ever pray for twins. Twins amount to a permanent riot; and there ain't any real difference between triplets and insurrection. [*Great laughter.*]

Among the three or four million cradles now rocking in the land, are some which this nation would preserve for ages as sacred things if we could know which ones they are. For in one of these cradles the unconscious Farragut of the future is at this moment teething. Think of it! And putting a word of dead earnest, unarticulated, but justifiable, profanity over it, too; in another, the future renowned astronomer is blinking at the shining Milky Way with but a languid interest, poor little chap, and wondering what has become of that other one they call the wet-nurse; in another, the future great historian is lying, and doubtless he will continue to lie until his earthly mission is ended; in another the future President is busying himself with no profounder problem of State than what the mischief has become of his hair so early [*laughter*]; and in a mighty array of other cradles there are now some sixty thousand future office-seekers getting ready to furnish him occasion to grapple with that same old problem a second time! And in still one more cradle, somewhere under the flag, the future illustrious commander-in-chief of the American armies is so little burdened with his approaching grandeurs and responsibilities as to be giving his whole strategic mind, at this

moment, to trying to find out some way to get his own big toe into his mouth, an achievement which (meaning no disrespect) the illustrious guest of this evening also turned his attention to some fifty-six years ago! And if the child is but the prophecy of the man there are mighty few will doubt that he succeeded. [*Laughter and prolonged applause.*]

# III. COMMEMORATIVE SPEECHES

## *1. Anniversary*

## I. DEMOCRATIC ARISTOCRACY

HENRY VAN DYKE

*Speaker:* Author, lecturer, clergyman. Formerly minister to the Netherlands, 1913–1917; now Professor Emeritus of English, Princeton University.

*Occasion:* The sesquicentennial anniversary of founding the Phi Beta Kappa Fraternity. The exercises were held at the College of William and Mary, Williamsburg, Va., November 27, 1926.

*Audience:* (See p. 262.)

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This address represents a purely expository treatment of its subject. In this respect it differs sharply from either of the two anniversary speeches following.

(From the Phi Beta Kappa *Key*, January, 1927.)

It is an honor to be invited to speak on this historic ground at the 150th anniversary of Phi Beta Kappa, one of the oldest voluntary associations of American students for the promotion of scholarship and friendship. The occasion is one of grateful memory and hopeful forecast.

Those romantic young Virginians who bound themselves together in 1776 by a solemn oath of fidelity to their "happy spirit and resolution of attaining the important ends of Society," were a company of Gentleman Adventurers enrolled under a new flag. Their modest enterprise had a dramatic touch.

It was a time of storm and stress. All round the world there was a distant thunder of mighty changes on the way. Electric flashes between opposing theories of ethics and politics troubled the horizon with oncoming fulguration. In America the tempest

had already broken. The struggle of the Colonies for the right to "life, liberty, and the pursuit of happiness" was begun. The crimson waves of a warfare almost fratricidal in its fierceness rose higher and higher around the frail bark of American Independence which Washington and Franklin, Jefferson and Adams, and their comrades had launched. The ship was tossed and shaken. Confusion lay on the face of the waters. The fortune of the voyage was in peril.

Yet these brave lads in the College of William and Mary, preparing themselves for their future duties, were not dismayed. Their present duty they saw in devotion to scholarship and friendship. They avowed their faith in philosophy as the helmsman of life. To that star they hitched their wagon. And when the time for them was ripe they went forth greatly to serve their country in camp and council, at the bar and on the bench, in the ministry and in diplomacy, and wherever an honest man may prove that patriotism is not a selfish passion and religion not an idle dream.

From the fine example of the Fifty Founders of Phi Beta Kappa; from the success of their enterprise and its extension from the Atlantic to the Pacific and from the Great Lakes to the Gulf; from the friends their creed has won and the enemies it has made, a topic worthy of our thought today springs out to meet us. It is: *Democratic Aristocracy: Its Need, Its Quality, and Its Ideals.*

Well do I know that the very choice of such a theme is a challenge to vulgar misunderstanding, cheap ridicule, and hidden hostility. Perhaps that is one reason why I am drawn to it, being born of militant blood. The adjective democratic will awaken the mistrust of those who cling to an inheritance of place and privilege. The noun aristrocracy will offend those who are afflicted with demotic dementia and insist that massed ignorance counts for more than selective intelligence. The conjunction of the noun and the adjective will be derided by pale theorists of logic as a contradiction in terms. So much the better! Life is not logical; it is vital; and paradox is one mark of truth. Knowledge can neither be entailed nor taxed. Wisdom is not the product of a plebiscite; and yet without wisdom the people perish. Scholarship and friendship, both voluntary, both personal, are the Jachin and Boaz, the

twin pillars of Beauty and Strength which uphold the starry dome of the Republic.

## I

It is a popular error to assume that a main object of democracy is to overthrow and destroy everything aristocratic. On the contrary, its high purpose should be to develop an aristocracy of its own begetting, after its own heart, and dedicated to its service. Unless it can do this, democracy spells confusion of mind, fickleness and feebleness of action, and final decay hastened by the increase of material wealth. The fatter it grows the more it degenerates.

As an army and a ship require officers, so a Republic needs leaders and commanders, equipped with special knowledge for their task and trained by the discipline of self-mastery for wise exercise of power. Government, which is the making and execution of laws, is no child's play, no lucky trick of dominance to be picked up haphazard by any man who has a pile of money, a gift of the gab, or a taking way of mixing with the crowd. It is a science, an art, a philosophy, demanding special fitness in the men to whom it is entrusted.

How shall these men be found and designated? Not by Heredity, says the Republic, for she is a shifty goddess, bringing forth strange and often malformed offspring. Not by Environment, the sanctions of class and caste, for this method mistakes the glitter for the gold. But by the Free Will of the people, for this is not only the fairest but also the safest and the sanest way.

That it is not infallible is proved by the story of our fatheads in high office. That it is not incorruptible is shown by the recent record of money influence in popular primaries. But that on the whole it works well we may see by comparing the succession of American Presidents with the line of Heirs, apparent, presumptive, or actual, of any royal house in Europe or Asia. In spite of popular whims and delusions, in spite of class animosities and regional jealousies, it has preserved for us that great ideal which Daniel Webster, anticipating Lincoln, proclaimed to the Senate

in 1830: a government made for the people, made by the people, and answerable to the people."

This is what Lincoln meant by his phrase about the impossibility of "fooling all the people all of the time." This is what Lowell meant by saying that the characteristic of democracy is its "habit of asking the Powers that Be whether they are the Powers that Ought to be." This is what Grover Cleveland meant by his affirmation that "in the long run you can trust the honest judgment of the rank and file." Do not forget the long run.

For the perpetuation of this ideal popular education is an absolute necessity. The children who are growing up to the high and perilous privilege of suffrage must be prepared for it. All of them, without exception, must have the key to the door of elementary knowledge, through which they may enter, if they have the will and the wit, into the higher house of wisdom. The three R's are the deliverers of the State. Reading opens half-blind eyes; writing releases half-dumb souls; arithmetic casts out the deceptive devil who babbles that two and two make five if the people vote to have it so.

Illiteracy is the biggest enemy within our gates but moral ignorance is the most dangerous. Our public schools are worth more to the Republic than all her other forts and navy yards. They ought to cost more. They deserve protection from scheming politicians and wily ecclesiastics. They are handicapped, perhaps, by an overload of educational fads and fancies; possibly, by a lack of thoroughness in laying mental and moral foundations; certainly, by the want of a more generous provision for the teachers on whom their life depends. But they have survived; they have improved; they are doing wonderfully well. There is no place in the world where I would rather have my books read than in the public schools of America. For it is there that the children of the people get power to conceive, bring forth, recognize, and follow a native aristocracy of leadership.

## II

What then is the quality of this democratic aristocracy?

In old English usage and in colonial Virginia "the Quality"

(with a capital Q) was a word employed to denote a certain set of families, inheritors of rank and wealth, arbiters of dress and fashion—as if those tailorish accidents had evolved a separate species of the genus *homo sapiens!* That sense of the word is now marked in all the dictionaries as "obsolete," "archaic," or even "vulgar." It has gone out. Good-bye to it. Quality now means something real; nature, character, disposition, ability.

A person of quality is one who by natural gifts and by wise training is able to observe more closely, think more clearly, imagine more vividly, and will more nobly than other people. One purpose of the common schools is to discover those who have the capacity and the working will to make good use of further training. Education should be not only a means of development, but also a process of sifting. The waters of instruction and discipline must flow through the pan in order that the dross may be washed out and the pure gold remain. Primary education is the right of every child of the Republic but a claim to the privilege of higher education can be established only by good work.

Heaven forbid that after twenty-five years as a teacher of reading in a New Jersey school, I should cherish the delusion that tests and examinations are infallible detectors of merit! But some virtue is in them, no doubt, and a pressing problem of the educational world today is how to better them. One thing I would do if the power were mine: restore the oral examination to a place beside the written test. This would have the advantage of bringing teacher and pupil eye to eye, and might perhaps remind the pedagogue that he is not dealing with a chemical compound but with a human person. After all every good teacher will admit that it is harder to examine fairly than to teach well. It is not easy to exclude the influence of unconscious favoritism. For my part I think that a natural liking for honesty, industry, and modest ambition in a pupil need not be shut out. *Palmam qui merult, poenam qui commeruit, ferat.*

American institutions of the higher learning have suffered in these later years a portentous increase in numbers and size. The figures of university enrollment are incredibly vast. Some point to them with unmitigated pride. Others have a doubt whether

there may not be in this some touch of that strange ailment called giantism, in which the body of a boy outgrows his vital and virile powers. At all events it is sure that there is still a place and a work for the small college. In passing, I confess a special fondness for the university which dares to limit its numbers in order that it may keep its work well in hand, remain true to its type, and preserve the democratic unity of that mass of vibrant young life which is known as the student body.

No mistake could be greater than to make an academic degree the only ticket of admission to the higher circle of the Republic. That would let in many who are unfit, and keep out some who are supremely fit. Jefferson, the two Adamses, Madison, Monroe, Hamilton, Webster, Grant, Roosevelt, Taft, and Wilson had an academic training. Washington, Franklin, Marshall, Jackson, Clay, Lincoln, and Cleveland, were non-collegians. But they were not uneducated. Theirs was the education that comes from contact with nature; from conflict with difficulties; from converse with all sorts and conditions of men; from reading a few books well; from noting appearances sharply and cogitating causes profoundly; from living freely, vigorously, intensely, not on the surface but in the deeps of life. These men won out without a college course, yet almost all of them wished they could have had it. The ablest monarch in Europe, the Queen of the Netherlands, once told me of her great regret that she could not go to the university because she was crowned too young. The reply was inevitable: "Madam, you have lost nothing."

It may or may not be true that our universities are over-populated. But one thing is undeniable. Of the throngs assembled in those academic halls, the most promising, the most worthy of advancement, are the young men and women who are keen and diligent to use the studious opportunities which they now enjoy. Therefore Phi Beta Kappa makes her first choice from the honor rolls of the colleges. True, all the good ones are not inside that group. Some students are awakened only by the rude shock of barely bumping through the final tests; and after that they do surprisingly well. But it is also true that somewhere outside of that honor group are most of the shirks and slackers, the fops and

fribbles who have no business to be in college and no value for society, except as models for the fearful and wonderful advertisements of tailors, milliners, and cigarette makers.

Scholarship and friendship are the two treasures of the golden key. Scholarship means more than mere learning. It means knowledge digested and wisdom to use the power that it confers. It means the mastery of one field, even if it be no larger than to "settle *Hoti's* business," as Browning puts it. But beyond that field it means sympathy with all true research and interpretation in all the wide regions of this atom-built, star-sprinkled, spirit-inhabited universe of space and time. The scholar treads firmly on the shore of the known and looks out reverently upon the ocean of the unknown. His daring is coupled with modesty. His lore is not a decoration but a tool. He regards books as people, but knows that he cannot read people like books. The scholar lives from the past, in the present, for the future and his motto is, "I think: therefore I am."

More than other men the scholar needs friendship to sweeten and enlarge his life. The university that bans student fraternities closes its windows. Without the fresh breezes of love and laughter the academic atmosphere grows noxious with the carbon-monoxide gas of vanity and envy. Friendship means more than the choice of personal companions. It means the companionable spirit, rooted in good will, and blossoming in the desire to give and to bless. That is a poor friend who does not help you to feel and act more friendly towards all other human beings—yes, and towards the domestic animals who are so loyal and appeal to us so touchingly with their mysterious eyes.

Of dress our true aristocrat thinks little. Clean it must be if he can keep it so; and if possible he likes to have it fit the occasion and the work or pastime that engages him. He does not make the blunder of that silk-stocking candidate for Congress in a Bowery district of New York who took off his coat on the platform and spoke in his shirt sleeves to make his audience feel at home. They did—and they kept him at home, feeling that he would not do them credit at Washington.

Of manners our true aristocrat thinks more. But he saves five

dollars by dispensing with a code-book of etiquette, and behaves naturally in such a way as to make nobody uncomfortable and to add what he can to the pleasure of the company. To be a bumptious bounder would shame him. To be a social climber would make him sick. To be himself with due regard for others is what he aims at. Of one who behaves thus we say that he has good manners: whether he learned them from his father or worked them out himself makes no difference: he is one of nature's gentlemen.

Let us no more pretend and palter with the silly notion that all men are on a level in a democracy. Born equal they may be, but stay equal they do not, except in their political rights. Life sorts them out. Intelligence is superior to ignorance. Courtesy is above rudeness. There are ranks and degrees among men, conferred not by family entail or royal favor, but by scholarship and friendship. Let us have the courage to declare the fact, even if we lose the favor of Demos and his demagogues.

Enough incense has been burned on the altars of the ancient caveman and the modern barbarian. It is not true that they are more admirable than civilized men. Emerson, himself a Brahmin of Boston, was wrong when he claimed superiority in health and bodily prowess for the savage, "the naked New Zealander." In fact the savage is weaker, more subject to disease, less able to throw it off. Powerful muscles he may have, but he cannot use them as well. Cooper's "Last of the Mohicans," Uncas, was a fine figure of a man, but old Leatherstocking could beat him at anything except noiseless scouting. Two Mexican Indians lately ran sixty-two miles in nine hours and a half; but forty years ago Dixon, an Englishman, ran fifty miles in six hours and a quarter, outpacing the savages by an average of seven and a half minutes against nine minutes to a mile. The Scandinavian Nurmi could probably distance them all. No team of Emerson's naked New Zealanders could hold the football line long against a Yale or Princeton University eleven. The legend of savage superiority is a myth, *nidus equae*, a mare's nest. The physical and mental leadership of the world is with civilization.

Of all the men that I have known in the past (I speak not of

the living) the finest and most distinguished were Alfred Tennyson of England, Robert E. Lee of Virginia, and Charles W. Eliot of Massachusetts. These were men of quality.

## III

It only remains to consider briefly the ideals of that kind of aristocracy which we have in mind as fit and favorable to the Republic. If I mistake not its highest aims are three: Self-control, serenity, and service.

"Know thyself," was Solon's motto, inscribed on the Delphian Shrine. But if knowledge is power, this means also control thyself. Keep the body out of the sensual mire, and the mind above the body, and the eternal laws of God above the mind. In two great points of goodness the world is growing better—the sense of justice and the sentiment of mercy. But in the third element of virtue, self-control, it seems to be standing still or slipping back. The popular gospel of the day is self-expression, which means let yourself go, follow your passions, gratify your appetites, acknowledge no inhibitions. This is cynic doctrine, the doctrine of dogs imperfectly house-broken. But the philosophy of manhood is nobler. It calls us to

> Move upward, working out the beast.

It bids us bring our passions and powers into subjection to reason and conscience. Trust no outward agent to do this for you. No congress can legislate you virtuous: no church can enchant you good. You must do it yourself. By the grace of God above you and within you, you must possess and captain your soul.

According to the measure of this self-mastery comes the serenity of life. The man who has it is thrice-armed against all adversities. He may be troubled and distressed, but he is not cast down nor destroyed. The clamors of the world may annoy him but they cannot break his steadying converse with the Eternal every day. His tasks, however humble, are lifted up and lightened by the clearness with which he views them in their complete relations.

He lives like an immortal, having overcome the fear of death.

Such serenity sets a man free to enter into the joy of service and the recreations which refresh and strengthen him for it. He can follow the calling that attracts and pleases him, looking more for the gladness he may find in it than for the gold he can get out of it. Farming, manufacture, commerce, banking, transportation—what does it matter, provided he can see the use of it, and find a satisfaction in doing it well? Law, medicine, the ministry, journalism—choose according to your gifts, my son, but do not sell yourself to the slavery of an uncongenial task in order that you may come out of it as a rich freeman. And what of teaching? Ah, there you have the worst paid and the best rewarded of all the vocations. Dare not to enter it unless you love it. For the vast majority of men and women it has no promise of wealth or fame, but they to whom it is dear for its own sake are among the nobility of mankind.

I sing the praise of the Unknown Teacher.

Great generals win campaigns, but it is the Unknown Soldier who wins the war.

Famous educators plan new systems of pedagogy, but it is the Unknown Teacher who delivers and guides the young. He lives in obscurity and contends with hardship. For him no trumpets blare, no chariots wait, no golden decorations are decreed. He keeps the watch along the borders of darkness and leads the attack on the trenches of ignorance and folly. Patient in his daily duty, he strives to conquer the evil powers which are the enemies of youth. He awakens sleeping spirits. He quickens the indolent, encourages the eager, and steadies the unstable. He communicates his own joy in learning and shares with boys and girls the best treasures of his mind. He lights many candles which in later years will shine back to cheer him. This is his reward.

Knowledge may be gained from books; but the love of knowledge is transmitted only by personal contact. No one has deserved better of the Republic than the Unknown Teacher. No one is more worthy to be enrolled in a democratic aristocracy—

King of himself and servant of mankind.

## II. THE WILL OF PEACE

### NICHOLAS MURRAY BUTLER

*Speaker:* President of Columbia University, author, lecturer, statesman.
*Occasion:* The seventh birthday of the League of Nations, January 10, 1927. Celebration dinner at Hotel Astor, New York City.
*Audience:* Members of the League of Nations Non-Partisan Association.

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The reference to Locarno is to the international conference held at Locarno, Switzerland, October, 1925, which led to a firmer peace basis between France and Germany and led indirectly to Germany entering the League of Nations. At that conference, Aristide Briand represented France, Gustav Stresemann represented Germany, and Austen Chamberlain represented Great Britian.

No study of this speech is complete without measuring the speaker's purpose. Compare it with the anniversary speech following this one. There Mr. Holmes' obvious purpose is to stimulate his hearers into a renewal of faith by reliving old experiences. But here Dr. Butler deliberately seizes upon the occasion as a means of bringing America a little nearer to entering the League of Nations.

(From stenographic notes, revised by Dr. Butler.)

MR. CHAIRMAN, LADIES AND GENTLEMEN:

My concern is for my country, for its good repute today and in history, for its influence and for its moral leadership in these great days of twentieth century democracy.

Toward the close of the summer holiday, I sat with an interested congregation in a little church by the sea and listened to a very striking sermon. Its opening sentences were somewhat like this: "The reason why Christianity no longer makes appeal to men is that they are too prosperous. They have discovered a new god, Comfort, and they are so concerned with worshipping him that they have no time for the God of their fathers." Then the preacher went on to say that the modern American ideal of life seemed to be to put a comfortable baby into a comfortable crib to be watched over by a comfortable nurse until it was able to go to a comfortable school; then to send it to a comfortable college, where comfortable teachers would see that it did not work too hard; to find its way

into a comfortable profession, to marry a wife with a comfortable fortune; to spend twenty or thirty comfortable years, and finally to pass through a comfortable opiate to a comfortable grave. It was a rather striking picture, and not without its lessons for some of us.

As a people we seem just now not to be able to grasp the fact that it is given to us to stand at one of the turning points of human history and to watch the great procession of the ages as it changes its line of march and alters its objective. One wonders whether when Ancient Greece was passing, the leaders of Greek thought and letters knew that it was passing. When the Roman Empire was tottering to its fall, did the men of light and leading really understand that a stupendous change was going on? Did the men of the Renaissance have any conception of the period through which they lived and to which they made such powerful contribution? Did the political philosophers of England and France of the 17th and 18th Centuries realize that they were teaching ideas and thoughts that were to make a new political and social and economic world? Do we know—do we realize—that the long process of nation-building that has been going on in the western world now for more than a thousand years has come to a substantial end, and that those nations—built many of them on strong and firm foundations, others still in the first flush of youth—are seeking, some of them in the darkness, for ways and means to clasp hands together to make a new form of human unity, of human cooperation, of expression of human effort, that shall destroy no nation but enrich them all?

He must be blind and deaf who cannot see and hear the signs of the times. Locarno, from being only the name of a little town by a mountain lake, has become a significant symbol that will take its place in the long list of names that mark the progress of man's march, first toward liberty, then toward that fine and noble and lofty use of liberty which is human cooperation and international peace.

This is not the place, this is not the time, to recount details, many of which are so familiar to you all. But when we speak of Locarno, we must never forget what three sterling personalities,

three true leaders of men, did there for their countries and for the world, and what they did to place us all everlastingly in their debt. If you will let your mind run back twelve years to those dreadful days of 1914–15, does it not seem unthinkable that the Ministers of Foreign Affairs of France and Germany and Great Britain should in that short time be sitting together around a table, talking as friends and comrades and companions, in a sincere and, thank God, a successful effort to bring their nations into association and into harmony?

M. Briand is easily one of the most remarkable personalities of our time, if not *the* most remarkable. You must remember that France and Germany, and even Great Britain, have their stoutly recalcitrant elements which have to be dragged by main force up to any council table where peace and international association are to be considered and discussed. Aristide Briand, eight times Prime Minister of France, walked no pathway of roses when he went to Locarno, and he took in his hand his own political reputation and future and, as many think, the security of the Government of France. M. Briand is not only a most accomplished orator with astounding power of eloquence and skill in presentation of argument and of fact, but a fascinatingly subtle personality with a temperament of so great charm that it disarms while it seduces. M. Briand brings you to his side with a smile, with a shrewd and kindly word, and then with a formula, the kind of formula that the French mind loves—simple, brief, clear, precise—he states his problem. Argument is made almost impossible.

Doctor Stresemann has become Monsieur Briand's warm personal friend. Tell me, if you please, whether anything so astonishing as that could have been foreseen in 1914? Doctor Stresemann has his own ultra-nationalists to deal with. They have no overweening desire to build on the foundations that the present offers. They keep pointing day by day to the occupation of the Rhineland, to the Silesian partition, to the Polish corridor, and they say to Doctor Stresemann and his parliamentary supporters, "How can you ask us to sit down with France and Great Britain, and proceed to formulate new policies of cooperation on the basis that those things are to remain *faits accomplis?*" But Doctor Stresemann shrugs his

somewhat square Prussian shoulders, raises his fine head and smiles, and goes to Locarno.

Let me tell you a story of Locarno that will illustrate far better than any words of mine could what the spirit of Locarno was and what these men were able to accomplish there. Last March the question of the admission of Germany to the Council of the League was at issue, and the word had come that Brazil was to use its legal power of veto to prevent the necessary unanimous consent. The night before the decision was to be taken, Monsieur Briand and Doctor Stresemann were closeted together in a small room, smoking vigorously and discussing how to meet the situation that had developed. Outside was an anxious group of fifty representatives of the world's newspaper press waiting for some indication of what France and Germany were going to do at this great crisis.

M. Briand said: "Dr. Stresemann, I do not see what we can do. Brazil has the power, if she chooses to exercise it, and it appears that she does. I do not see what we can do, do you?"

Dr. Stresemann replied, "No, I do not; we have come to an impasse. Brazil blocks the way, and we can apparently do nothing." "I will tell you what to do," said M. Briand, "Let us go to bed. Let us sleep over it, and perhaps something will come to us in our dreams and we shall get light." Dr. Stresemann said, "Splendid!" The door was thrown open. Briand and Stresemann went out to face the waiting newspaper men, arm in arm. Briand took his cigar from his mouth and he said, "Gentlemen, I have pleasure in saying to you that Germany and France are in absolute agreement as to the next steps to be taken."

That was telegraphed from Japan to Chili, and the world was gratified beyond expression at the obvious cooperation and rapprochement between Germany and France. That story is authentic.

What I wish to emphasize is two things: First, the element of leadership that exists, and second, the cordial trust and confidence between men who traditionally represent long-standing bitter enmities. I submit, Mr. Chairman, that the association between these three men—M. Briand, Dr. Stresemann and Sir Austen Chamberlain—with their friendly understanding, their intimate personal touch, their complete confidence, is the key to an understanding

of what is going on in Western Europe. Their countries, delighted, have risen to their support, and each man is stronger today with the public opinion of his nation than he ever was before in his long parliamentary career.

Locarno, Mr. Chairman, means much more than a series of treaties. Locarno is a spirit, a point of view, a determination that, come what will, the old order shall not be restored. What I wish to see, Mr. Chairman, is that my country shall share that spirit and that determination.

*Unhappily, the policies as to international affairs—or perhaps the lack of policies—that have been pursued by our government since the Armistice, have made this nation of ours a dangerous derelict, adrift on the high seas of international intercourse, and lying straight across the path of every ship that sails laden with the precious cargo of international friendship and concord.*

Has not the time come, is it not already late in the afternoon, for our people to rouse themselves from their lethargy, dulled by what Iago called the "drowsy syrups" of a material prosperity, possibly temporary, into a sullen and cynical indifference to those great causes, those great appeals, those noble ideals, which in other days stirred the soul of Americans, and which our fathers sent Franklin and Adams and Jefferson overseas to explain to the Old World from which we sprang? Surely we make a sorry spectacle to ourselves, to the on-looking and mystified world, and to the historian who some day will tell the story of it all.

When Jefferson put his pen to the Declaration of Independence, what was it that gave distinction and unique character to his preamble? It was his "decent respect for the opinions of mankind." We were not isolated and aloof then. We were not isolated and aloof when Washington sent Jay to negotiate that great treay with Britain. We were not isolated and aloof when Jefferson pursued the Barbary pirates that were preying upon the world's commerce. We were not isolated and aloof when Henry Clay's voice from the floor of the House of Representatives made that appeal which called South American nations into being. We were not isolated and aloof when we offered welcome and distinction to Louis Kossuth, the Hungarian revolutionary. We were not isolated and aloof when Secretary

Blaine penned his first call for a Pan-American Conference. We were not isolated and aloof when John Hay wrote his note as to the open door in China. We were not isolated and aloof when Mr. McKinley and Secretary Hay sent that great delegation to the first Hague Conference, and when they saved that Conference from disaster by inventing and carrying to completion the Court of International Arbitration. We were not isolated and aloof when Mr. Secretary Root wrote his truly notable instructions to our delegates to the Second Hague Conference, instructing them as representatives of the Government of the United States to leave no stone unturned to bring into being a permanent Court of International Justice, and distinguishing, as he so well knows how to do, between the possibility and duty of international association and cooperation in respect of common ends, and the avoidance of interference with the internal policies and concerns of any nation. We were not isolated and aloof then, and we were not isolated and aloof when the awful blow fell in 1914, when the world staggered. We were not isolated and aloof in France and Belgium and on the seas. We were not isolated and aloof when the time came for the great settlement.

And, Mr. Chairman, in the months of June, July and August, 1919, the representatives of our two great political parties were so nearly at one that the tragedy which followed is multiplied many times in its sadness and its horror. A little bending here, a little yielding there—a change of this phrase or a change of that—and the history of these last years would have been strangely and splendidly different.

In anticipation of meeting this company, I have examined today certain files and records covering those months of intimate confidential negotiations. I can only say that I am not going to write a book, and I can give the same excuse that Lord Beatty is said to have given when he was asked in London whether he proposed to write a volume or two containing his memoirs of the war. He said, "No, because so far as I can remember, I have done nothing that needs explanation or apology."

Now we are confronted, Mr. Chairman, with a practical situation. A great many of our people seem to be satisfied to sit toying

with their taboos and their totems and counting their comforting coins. One of their taboos is that somewhere there is concealed an American tradition that we never have anything to do with anybody. Where it came from I do not know. The phrase, ascribed to Washington, on which it usually is based, Washington never saw. He died before it was written. It was used by Thomas Jefferson in his first inaugural, and it had no more reference to the sort of thing of which we are now speaking than it would have to equipment of a Polar exploration expedition. Our entire tradition, our entire historic development, has been absolutely the opposite. Why, it was only the other day that this isolated nation and aloof, was, through hundreds of boards of aldermen, scores of legislatures, and I think the Congress itself, passing resolutions calling for the dismemberment of the British Empire. That was at a time when the Irish vote was important. What would they think if the Common Council of the City of Prague, for example, should pass a resolution demanding that the City of New York refuses to be downtrodden and oppressed by the upper part of the State, should be set up into a separate government?

No, Mr. Chairman, the tradition, the history, is exactly the opposite. The only way in which damage of this kind can be repaired is by the slow process of the re-education of public opinion. There is no possible use in trying to pass statutes, acts, resolutions—meaningless words all of them—unless public sentiment and public opinion support and practically compel them. From this day on with Locarno's name upon our lips and its symbol and significance in our hearts, the appeal should be in season and out of season, to our American people to leave off talking about things that do not matter; to stop this chatter about a prosperity which never can be more than a means to an end, and to set ourselves to the great task of rebuilding our intellectual and moral leadership and taking hold of these situations, to the world's betterment, and to our own best interests. Why, every ant-hill is prosperous!

I have no hesitation in meeting our adversaries on the field of interest. Only I prefer to appeal from that interest which is the stomach and the pocket to that interest which is the head and the heart. The nations of the world, excepting ourselves and Soviet

Russia and one or two more, have established the League of Nations. Before the campaign of 1920, I signed with thirty or forty men of my party a statement that we believed that the election of the candidate whom we favored would lead to our support of that movement, and we based it upon his own words, in which he said "call it society, call it league, call it association, call it what you will, we are concerned not with the form but with the substance." And what I signed in October, 1920, I honor with my signature now.

If times have changed, those of us with convictions have not changed; but the facts are now wholly different, and the problems must be approached by new methods. We are now ready and should be ready by formal treaty or engagement, to accept as our own the Locarno definition of aggression, and we should then be ready to say that if war breaks out in this world by aggression on the part of any power signatory to that definition, we shall recognize no neutrality right on the part of our citizens to participate in that war by providing materials with which to carry it on.

> New occasions teach new duties,
> Time makes ancient good uncouth,

said Lowell. Some of our old and precious doctrines, excellent in the Eighteenth Century and well down into the Nineteenth, have been legislated by fact into the realm of the morally impossible. Surely it should require no treaty, it should require no formal engagement, to keep the American people from being drawn, by reason of an attachment to a doctrine of neutrality that is now outworn, into even indirect participation in a war of aggression. We may define aggression as an act in defiance of the will or against the interest of another government or people without first submitting the issue to the impartial examination of a competent authority to determine what the facts may be and what are the equities involved. If that definition of aggression be accepted—and I know of none better—then for us to say that under the terms of a legal doctrine now quite out of harmony with modern progress, we demand for our citizens the right to participate indirectly in such a war by furnishing munitions and supplies to the aggressive bel-

ligerent, is a grotesque travesty on our common sense. We must quickly and publicly take the contrary stand.

If we were to do that, Mr. Chairman, clouds that still rest over the head and heart of Europe would quickly roll away. Believe me, they are afraid that in an aggressive war among themselves, arms and destructive implements would be obtained from this neutral country.

Mr. Chairman, in an aggressive war there can no longer be neutrality. We must stand with the nation that keeps its word, and we must not side, even indirectly, with a nation that, through temper, through ambition, through wrong feeling, or for any one of a hundred reasons, violates its pledge and proceeds once again to bring down upon us such an avalanche as 1914 let loose.

From the standpoint of security, Western Europe is content. There are problems in the Central and Eastern portions, grave problems. There are nations not schooled in self-government, with no long background of order and economic prosperity behind them, with a great many inherited and traditional animosities which the stronger and the older peoples must help hold quietly in check while instructing them in the art of peaceful cooperation and self-development.

For myself I believe that the key to the elimination of the Balkan problem is to be found in an economic union of those peoples. Let them begin to work together in economic cooperation and let that economic cooperation be successful, and we shall have come a long way from conditions that have disturbed Europe, and through Europe the world, for a hundred years.

In the Northeast of Europe there are new nations in the making. They were torn suddenly from the side of an old historic empire. They are feeling their way, trying to come to national self-consciousness and to arrive at and protect national independence, to participate in these international conferences as equals, to do their part, to give their counsel, to get their benefit. We have no immediate contact with them, to be sure, but our concern is that through any of them there may not be lighted once more the torch of fire that shall reach inflammable material lying loose in that section of the world.

But if I were the foreign minister of a Balkan state or the foreign minister of one of the new nations in Northeastern Europe I should be disposed to ask my country's diplomatic representative in Washington to suggest that the process of arbitration and judicial settlement need not be confined in their operation to European nations. That could hardly be deemed an act of intrusion, but it would suggest something which, to the best of my knowledge, has been largely overlooked up to the moment in certain places.

One thing more: There could be no more inappropriate moment than this to talk about enlarging our naval forces. It makes no difference whether the ratio ought to be 5-5-3 or 5-5-3.9 or 5-4-3.2, this is not the time to talk about it. There is such a thing as a psychological moment, and now when the eyes of the world are fixed on what is to follow Locarno, how that is to be made permanent and built into the institutional and intellectual life of Europe, what could be more distressing, what more disheartening than to find the American Republic concerned, not with Locarno, but with the pre-war psychology of armaments?

It suggests once more the recurring question which it is so difficult satisfactorily to answer: Can men learn?

Abraham Lincoln, in his great debate with Douglas, used words about public sentiment which have come ringing down the decades since they were spoken. "Public sentiment," said Lincoln, "is everything. With public sentiment nothing can fail; without it, nothing can succeed." Public sentiment reached from the platform, from the press, through the personal contacts of men and women with mind and vision and heart and feeling, public sentiment is the objective upon which those of us must move in our concern for our country's fame and repute, for her highest interest and for her place in history as a builder.

To the public sentiment of the American people I would say tonight, using words that have come across the ages, "Choose you this day whom ye will serve"—the pagan idols of destruction and desolation and war, or the God of righteousness and progress and peace!

## III. MEMORIAL DAY

### OLIVER WENDELL HOLMES, JR.

*Speaker:* (1841–) Federal officer in the Civil War; justice of Massachusetts Supreme Court, 1882–1899, and chief justice, 1899–1902; justice of the United States Supreme Court since 1902.
*Occasion:* Memorial Day, May 30, 1884, at Keene, N. H.
*Audience:* Members, relatives, and friends of the John Sedgwick Post No. 4, G.A.R.

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The great moving strength of this speech comes from its deep personal undercurrent. It is far more than a mere string of reminiscences, yet personal experiences form its base. For here is a man who relives with his hearers stirring events of history in the manner of one who can say, "all of which I saw, and a part of which I was."

COMRADES:

Not long ago I heard a young man ask why people still kept up Memorial Day, and it set me thinking of the answer. Not the answer that you and I should give to each other—not the expression of those feelings that, so long as you and I live, will make this day sacred to memories of love and grief and heroic youth—but an answer which should command the assent of those who do not share our memories, and in which we of the North and our brethren of the South could join in perfect accord.

So far as this last is concerned, to be sure, there is no trouble. The soldiers who were doing their best to kill one another felt less of personal hostility, I am very certain, than some who were not imperiled by their mutual endeavors. I have heard more than one of those who had been gallant and distinguished officers on the Confederate side say that they had had no such feeling. I know that I and those whom I knew best had not. We believed that it was most desirable that the North should win; we believed in the principle that the Union is indissoluble; we, or many of us at least, also believed that the conflict was inevitable, and that slavery had lasted long enough. But we equally believed that those who stood against us held just as sacred convictions that were the op-

posite of ours, and we respected them as every man with a heart must respect those who give all for their belief. The experience of battle soon taught its lesson even to those who came into the field more bitterly disposed. You could not stand up day after day in those indecisive contests where overwhelming victory was impossible because neither side would run as they ought when beaten, without getting at last something of the same brotherhood for the enemy that the north pole of a magnet has for the south—each working in an opposite sense to the other, but each unable to get along without the other. As it was then, it is now. The soldiers of the war need no explanations; they can join in commemorating a soldier's death with feelings not different in kind, whether he fell toward them or by their side.

But Memorial Day may and ought to have a meaning also for those who do not share our memories. When men have instinctively agreed to celebrate an anniversary, it will be found that there is some thought or feeling behind it which is too large to be dependent upon associations alone. The Fourth of July, for instance, has still its serious aspect, although we no longer should think of rejoicing like children that we have escaped from an outgrown control, although we have achieved not only our national but our moral independence and know it far too profoundly to make a talk about it, and although an Englishman can join in the celebration without a scruple. For, stripped of the temporary associations which gave rise to it, it is now the moment when by common consent we pause to become conscious of our national life and to rejoice in it, to recall what our country has done for each of us, and to ask ourselves what we can do for our country in return.

So to the indifferent inquirer who asks why Memorial Day is still kept up we may answer, It celebrates and solemnly reaffirms from year to year a national act of enthusiasm and faith. It embodies in the most impressive form our belief that to act with enthusiasm and faith is the condition of acting greatly. To fight out a war, you must believe something and want something with all your might. So must you do to carry anything else to an end worth reaching. More than that, you must be willing to commit yourself to a course, perhaps a long and hard one, without being able to

foresee exactly where you will come out. All that is required of you is that you should go somewhither as hard as ever you can. The rest belongs to fate. One may fall—at the beginning of the charge or at the top of the earthworks; but in no other way can he reach the rewards of victory.

When it was felt so deeply as it was on both sides that a man ought to take part in the war unless some conscientious scruple or strong practical reason made it impossible, was that feeling simply the requirement of a local majority that their neighbors should agree with them? I think not: I think the feeling was right —in the South as in the North. I think that, as life is action and passion, it is required of a man that he should share the passion and action of his time at peril of being judged not to have lived.

If this be so, the use of this day is obvious. It is true that I cannot argue a man into a desire. If he says to me, Why should I wish to know the secrets of philosophy? Why seek to decipher the hidden laws of creation that are graven upon the tablets of the rocks, or to unravel the history of civilization that is woven in the tissue of our jurisprudence, or to do any great work, either of speculation or of practical affairs? I cannot answer him; or at least my answer is as little worth making for any effect it will have upon his wishes as if he asked why should I eat this, or drink that. You must begin by wanting to. But although desire cannot be imparted by argument, it can be by contagion. Feeling begets feeling, and great feeling begets great feeling. We can hardly share the emotions that make this day to us the most sacred day of the year, and embody them in ceremonial pomp, without in some degree imparting them to those who come after us. I believe from the bottom of my heart that our memorial halls and statues and tablets, the tattered flags of our regiments gathered in the State-houses, and this day with its funeral march and decorated graves, are worth more to our young men by way of chastening and inspiration than the monuments of another hundred years of peaceful life could be.

But even if I am wrong, even if those who come after us are to forget all that we hold dear, and the future is to teach and kindle its children in ways as yet unrevealed, it is enough for us that to us this day is dear and sacred.

Accidents may call up the events of the war. You see a battery of guns go by at a trot, and for a moment you are back at White Oak Swamp, or Antietam, or on the Jerusalem Road. You hear a few shots fired in the distance, and for an instant your heart stops as you say to yourself, The skirmishers are at it, and listen for the long roll of fire from the main line. You meet an old comrade after many years of absence; he recalls the moment when you were nearly surrounded by the enemy, and again there comes up to you that swift and cunning thinking on which once hung life or freedom— Shall I stand the best chance if I try the pistol or the sabre on that man who means to stop me? Will he get his carbine free before I reach him, or can I kill him first? These and the thousand other events we have known are called up, I say, by accident, and, apart from accident, they lie forgotten.

But as surely as this day comes around we are in the presence of the dead. For one hour, twice a year at least—at the regimental dinner, where the ghosts sit at table more numerous than the living, and on this day when we decorate their graves—the dead come back and live with us.

I see them now, more than I can number, as once I saw them on this earth. They are the same bright figures, or their counterparts, that come also before your eyes; and when I speak of those who were my brothers, the same words describe yours.

I see a fair-haired lad, a lieutenant, and a captain on whom life had begun somewhat to tell, but still young, sitting by the long mess-table in camp before the regiment left the State, and wondering how many of those who gathered in our tent could hope to see the end of what was then beginning. For neither of them was that destiny reserved. I remember, as I awoke from my first long stupor in the hospital after the battle of Ball's Bluff, I heard the doctor say, "He was a beautiful boy," and I knew that one of those two speakers was no more. The other, after passing harmless through all the previous battles, went into Fredericksburg with strange premonition of the end, and there met his fate.

I see another youthful lieutenant as I saw him in the Seven Days, when I looked down the line at Glendale. The officers were at the head of their companies. The advance was beginning. We

caught each other's eye and saluted. When next I looked, he was gone.

I see the brother of the last—the flame of genius and daring in his face—as he rode before us into the wood of Antietam, out of which came only dead and deadly wounded men. So, a little later, he rode to his death at the head of his cavalry in the Valley.

In the portraits of some of those who fell in the civil wars of England, Vandyke has fixed on canvas the type of those who stand before my memory. Young and gracious figures, somewhat remote and proud, but with a melancholy and sweet kindness. There is upon their faces the shadow of approaching fate, and the glory of generous acceptance of it. I may say of them, as I once heard it said of two Frenchmen, relics of the *ancien régime*, "They were very gentle. They cared nothing for their lives." High breeding, romantic chivalry—we who have seen these men can never believe that the power of money or the enervation of pleasure has put an end to them. We know that life may still be lifted into poetry and lit with spiritual charm.

But the men not less, perhaps even more, characteristic of New England, were the Puritans of our day. For the Puritan still lives in New England, thank God! and will live there so long as New England lives and keeps her old renown. New England is not dead yet. She still is mother of a race of conquerors,—stern men, little given to the expression of their feelings, sometimes careless of the graces, but fertile, tenacious, and knowing only duty. Each of you, as I do, thinks of a hundred such that he has known. I see one—grandson of a hard rider of the Revolution and bearer of his historic name—who was with us at Fair Oaks, and afterwards for five days and nights in front of the enemy the only sleep that he would take was what he could snatch sitting erect in his uniform and resting his back against a hut. He fell at Gettysburg.

His brother, a surgeon, who rode, as our surgeons so often did, wherever the troops would go, I saw kneeling in ministration to a wounded man just in rear of our line at Antietam, his horse's bridle round his arm,—the next moment his ministrations were ended. His senior associate survived all the wounds and perils of the war, but, not yet through with duty as he understood it, fell

in helping the helpless poor who were dying of cholera in a Western city.

I see another quiet figure, of virtuous life and silent ways, not much heard of until our left was turned at Petersburg. He was in command of the Regiment as he saw our comrades driven in. He threw back his left wing, and the advancing tide of defeat was shattered against his iron wall. He saved an army corps from disaster, and then a round shot ended all for him.

There is one who on this day is always present to my mind. He entered the army at nineteen, a second lieutenant. In the Wilderness, already at the head of his regiment, he fell, using the moment that was left him of life to give all his little fortune to his soldiers. I saw him in camp, on the march, in action. I crossed debatable land with him when we were rejoining the army together. I observed him in every kind of duty, and never in all the time that I knew him did I see him fail to choose that alternative of conduct which was most disagreeable to himself. He was indeed a Puritan in all his virtues, without the Puritan austerity; for, when duty was at an end, he who had been the master and leader became the chosen companion in every pleasure that a man might honestly enjoy. In action he was sublime. His few surviving companions will never forget the awful spectacle of his advance alone with his company in the streets of Fredericksburg. In less than sixty seconds he would become the focus of a hidden and annihilating fire from a semicircle of houses. His first platoon had vanished under it in an instant, ten men falling dead by his side. He had quietly turned back to where the other half of his company was waiting, had given the order, "Second platoon, forward!" and was again moving on, in obedience to superior command, to certain and useless death, when the order he was obeying was countermanded. The end was distant only a few seconds; but if you had seen him with his indifferent carriage, and sword swinging from his finger like a cane, you never would have suspected that he was doing more than conducting a company drill on the camp parade ground. He was little more than a boy, but the grizzled corps commanders knew and admired him; and for us, who not only admired, but loved, his death seemed to end a portion of our life also.

There is one grave and commanding presence that you all would recognize, for his life has become a part of our common history. Who does not remember the leader of the assault at the mine of Petersburg? The solitary horseman in front of Port Hudson, whom a foeman worthy of him bade his soldiers spare, from love and admiration of such gallant bearing? Who does not still hear the echo of those eloquent lips after the war, teaching reconciliation and peace? I may not do more than allude to his death, fit ending of his life. All that the world has a right to know has been told by a beloved friend in a book wherein friendship has found no need to exaggerate facts that speak for themselves. I knew him, and I may even say I knew him well; yet, until that book appeared, I had not known the governing motive of his soul. I had admired him as a hero. When I read, I learned to revere him as a saint. His strength was not in honor alone, but in religion; and those who do not share his creed must see that it was on the wings of religious faith that he mounted above even valiant deeds into an empyrean of ideal life.

I have spoken of some of the men who were near to me among others very near and dear, not because their lives have become historic, but because their lives are the type of what every soldier has known and seen in his own company. In the great democracy of self-devotion private and general stand side by side. Unmarshaled save by their own deeds, the armies of the dead sweep before us, "wearing their wounds like stars." It is not because the men whom I have mentioned were my friends that I have spoken of them, but, I repeat, because they are types. I speak of those whom I have seen. But you all have known such; you, too, remember!

It is not of the dead alone that we think on this day. There are those still living whose sex forbade them to offer their lives, but who gave instead their happiness. Which of us has not been lifted above himself by the sight of one of those lovely, lonely women, around whom the want of sorrow has traced its excluding circle—set apart, even when surrounded by loving friends who would fain bring back joy to their lives? I think of one whom the poor of a great city know as their benefactress and friend. I think of one who has lived not less greatly in the midst of her children, to whom

she has taught such lessons as may not be heard elsewhere from mortal lips. The story of these and of their sisters we must pass in reverent silence. All that may be said has been said by one of their own sex:—

> But when the days of golden dreams had perished,
> And even despair was powerless to destroy;
> Then did I learn how existence could be cherished,
> Strengthened, and fed without the aid of joy.
>
> Then did I check the tears of useless passion,
> Weaned my young soul from yearning after thine—
> Sternly denied its burning wish to hasten
> Down to that tomb already more than mine.

Comrades, some of the associations of this day are not only triumphant, but joyful. Not all of those with whom we once stood shoulder to shoulder—not all of those whom we once loved and revered—are gone. On this day we still meet our companions in the freezing winter bivouacs and in those dreadful summer marches where every faculty of the soul seemed to depart one after another, leaving only a dumb animal power to set the teeth and to persist—a blind belief that somewhere and at last there was rest and water. On this day, at least, we still meet and rejoice in the closest tie which is possible between men—a tie which suffering has made indissoluble for better, for worse.

When we meet thus, when we do honor to the dead in terms that must sometimes embrace the living, we do not deceive ourselves. We attribute no special merit to a man for having served when all were serving. We know that, if the armies of our war did anything worth remembering, the credit belongs not mainly to the individuals who did it, but to average human nature. We also know very well that we cannot live in associations with the past alone, and we admit that, if we would be worthy of the past, we must find new fields for action or thought, and make for ourselves new careers.

But, nevertheless, the generation that carried on the war has been set apart by its experience. Through our great good fortune, in our youth our hearts were touched with fire. It was given to us to learn at the outset that life is a profound and passionate thing. While

we are permitted to scorn nothing but indifference, and do not pretend to undervalue the worldly rewards of ambition, we have seen with our own eyes, beyond and above the gold-fields, the snowy heights of honor, and it is for us to bear the report to those who come after us. But, above all, we have learned that whether a man accepts from Fortune her spade, and will look downward and dig, or from Aspiration her ax and cord, and will scale the ice, the one and only success which it is his to command is to bring to his work a mighty heart.

Such hearts—ah me, how many!—were stilled twenty years ago; and to us who remain behind is left this day of memories. Every year—in the full tide of spring, at the height of the symphony of flowers and love and life,—there comes a pause, and through the silence we hear the lonely pipe of death. Year after year lovers wandering under the apple boughs and through the clover and deep grass are surprised with sudden tears as they see black veiled figures stealing through the morning to a soldier's grave. Year after year the comrades of the dead follow, with public honor, procession and commemorative flags and funeral march—honor and grief from us who stand almost alone, and have seen the best and noblest of our generation pass away.

But grief is not the end of all. I seem to hear the funeral march become a pæan. I see beyond the forest the moving banners of a hidden column. Our dead brothers still live for us, and bid us think of life, not death—of life to which in their youth they lent the passion and glory of the spring. As I listen, the great chorus of life and joy begins again, and amid the awful orchestra of seen and unseen powers and destinies of good and evil our trumpets sound once more a note of daring, hope, and will.

## *2. Dedication*

### I. THE HEROES OF VERA CRUZ

WOODROW WILSON

*Speaker:* The twenty-eighth President of the United States. (See also p. 3.)
*Occasion:* Upon the return of the bodies of the nineteen Marines who were

killed in the storming of Vera Cruz, April, 1914, during the strained relations between the American government and the De Huerta faction of Mexico. Military services for these dead were held at the Brooklyn Navy Yard, May 11, 1914. There, beside the uncovered caskets and handkerchief covered faces, President Wilson gave the following address.

*Audience:* Officers and men of the navy; press representatives.

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Remembering that President Wilson's refusal of a wholesale intervention in Mexico was being bitterly attacked, it is obvious that the President was here taking occasion not only to emphasize what a real war would lead to, but also was challenging his hearers to think in terms of duty, as he saw it, instead of in terms of self-interest.

(From *The Public Papers of Woodrow Wilson*, Vol. I, Harper & Brothers, 1926.)

I know that the feelings which characterize all who stand about me and the whole Nation at this hour are not feelings which can be suitably expressed in terms of attempted oratory or eloquence. They are things too deep for ordinary speech. For my own part, I have a singular mixture of feelings. The feeling that is uppermost is one of profound grief that these lads should have had to go to their death; and yet there is mixed with that grief a profound pride that they should have gone as they did, and, if I may say it out of my heart, a touch of envy of those who were permitted so quietly, so nobly, to do their duty. Have you thought of it, men? Here is the roster of the Navy—the list of the men, officers and enlisted men and marines—and suddenly there swim nineteen stars out of the list—men who have suddenly been lifted into a firmament of memory where we shall always see their names shine, not because they called upon us to admire them, but because they served us, without asking any questions and in the performance of a duty which is laid upon us as well as upon them.

Duty is not an uncommon thing, gentlemen. Men are performing it in the ordinary walks of life all around us all the time, and they are making great sacrifices to perform it. What gives men like these peculiar distinction is not merely that they did their duty, but that their duty had nothing to do with them or their own personal and peculiar interests. They did not give their lives for themselves. They gave their lives for us, because we called upon them

as a Nation to perform an unexpected duty. That is the way in which men grow distinguished, and that is the only way, by serving somebody else than themselves. And what greater thing could you serve than a Nation such as this we love and are proud of? Are you sorry for these lads? Are you sorry for the way they will be remembered? Does it not quicken your pulses to think of the list of them? I hope to God none of you may join the list, but if you do you will join an immortal company.

So, while we are profoundly sorrowful, and while there goes out of our hearts a very deep and affectionate sympathy for the friends and relatives of these lads who for the rest of their lives shall mourn them, though with a touch of pride, we know why we do not go away from this occasion cast down, but with our heads lifted and our eyes on the future of this country, with absolute confidence of how it will be worked out. Not only upon the mere vague future of this country, but upon the immediate future. We have gone down to Mexico to serve mankind if we can find out the way. We do not want to fight the Mexicans. We want to serve the Mexicans if we can, because we know how we would like to be free, and how we would like to be served if there were friends standing by in such case ready to serve us. A war of aggression is not a war in which it is a proud thing to die, but a war of service is a thing in which it is a proud thing to die.

Notice how truly these men were of our blood. I mean of our American blood, which is not drawn from any one country, which is not drawn from any one stock, which is not drawn from any one language of the modern world; but free men everywhere have sent their sons and their brothers and their daughters to this country in order to make that great compounded Nation which consists of all the sturdy elements and of all the best elements of the whole globe. I listened again to this list of the dead with a profound interest because of the mixture of the names, for the names bear the marks of the several national stocks from which these men came. But they are not Irishmen or Germans or Frenchmen or Hebrews or Italians any more. They were not when they went to Vera Cruz; they were Americans, every one of them, and with no difference in their Americanism because of the stock from which they came.

They were in a peculiar sense of our blood, and they proved it by showing that they were of our spirit—that no matter what their derivation, no matter where their people came from, they thought and wished and did the things that were American; and the flag under which they served was a flag in which all the blood of mankind is united to make a free Nation.

War, gentlemen, is only a sort of dramatic representation, a sort of dramatic symbol, of a thousand forms of duty. I never went into battle; I never was under fire; but I fancy that there are some things just as hard to do as to go under fire. I fancy that it is just as hard to do your duty when men are sneering at you as when they are shooting at you. When they shoot at you, they can only take your natural life; when they sneer at you, they can wound your living heart, and men who are brave enough, steadfast enough, steady in their principles enough, to go about their duty with regard to their fellow men, no matter whether there are hisses or cheers, men who can do what Rudyard Kipling in one of his poems wrote, "Meet with triumph and disaster and treat those two impostors just the same," are men for a nation to be proud of. Morally speaking, disaster and triumph are impostors. The cheers of the moment are not what a man ought to think about, but the verdiet of his conscience and of the consciences of mankind.

When I look at you, I feel as if I also and we all were enlisted men. Not enlisted in your particular branch of the service, but enlisted to serve the country, no matter what may come, even though we may sacrifice our lives in the arduous endeavor. We are expected to put the utmost energy of every power that we have into the service of our fellow men, never sparing ourselves, not condescending to think of what is going to happen to ourselves, but ready, if need be, to go to the utter length of complete self-sacrifice.

As I stand and look at you to-day and think of these spirits that have gone from us, I know that the road is clearer for the future. These boys have shown us the way, and it is easier to walk on it because they have gone before and shown us how. May God grant to all of us that vision of patriotic service which here in solemnity and grief and pride is borne in upon our hearts and consciences!

## II. THOMAS JEFFERSON—CHAMPION OF THE COMMON PEOPLE

FRANK B. KELLOGG

*Speaker:* Secretary of State; formerly United States Senator from Minnesota, 1917–1923; and United States ambassador at the Court of St. James, London, 1924–1925. Mr. Kellogg belongs to the opposing political school of that founded by Jefferson.
*Occasion:* Dedication ceremony at Monticello, home of Jefferson, July 5, 1926.
*Audience:* Members of the Thomas Jefferson Memorial Foundation; general public.
(From the advance copy, prepared for the press.)

We are met here today to dedicate this historic home to the name and fame of Thomas Jefferson. His ashes belong to Monticello, "his fame is a nation's trust." Nothing that we can say today can add to that fame, but the patriotic devotion of the Thomas Jefferson Memorial Foundation has made it possible for us to make this building a national shrine, to which through the ages the countrymen of Thomas Jefferson may come, and from which they may draw inspiration from the example of his life.

Here Jefferson dreamed and lovingly planned this mansion; here he retired for moments of rest and refreshment throughout the period of his political life; here he worked and thought; here he came to recover his buoyancy and faith when sickened with the slanders and ingratitude of men; and from here he went forth strengthened to his greatest victories. After reaching the highest honors which can be conferred by his country, here he returned to enjoy the calm and repose of Life's afternoon and twilight. Here one hundred years ago his strong and gentle spirit passed into the Valhalla of America's great and his body returned to earth to sleep through uncharted centuries. Such a life was full of years of wisdom, of devotion to country and to the ideals of democracy, of great accomplishment, of sympathy for the men and women who constitute the great mass of people—this was Jefferson, whose life we honor today, and whose memory we seek to bring home to the millions who enjoy the fruits of his labors.

It is not my intention to trace the history of his life. This has been done by many, far abler than I, and to whose work I cannot add. But I wish to bring home the lesson of his life to the millions of plain men and women of this country, to whom Jefferson appealed. This is not a twentieth century political meeting. *I do not belong to the party which claims the heritage of Jefferson, but I do belong to those millions who inherited his ideals, and who are enjoying that liberal, representative democracy to which he contributed so powerful an influence.*

Let me for a moment trace the influences which made Jefferson the champion of the cause of the common people. We are prone to forget that when Jefferson was born at his father's home in Shadwell, that section of the country was a pioneer and "Western" section. The boys, Thomas Jefferson among them, went to school in leather shirts and coonskin caps. It was in this democracy that he absorbed a sympathy and comprehension for the aspirations of the common people which was to guide him through his career and make of him an unparalleled political prophet. Subsequently his education was that of school and university, followed by a course in the law school, which constituted in those days the customary equipment of the gentleman. His young manhood was impressed with the surge of ideas which preceded our Revolution and his philosophical idealism delighted in political speculation. Such was the background of the man who succeeded Benjamin Franklin as Minister and representative of the thirteen colonies to the Court of France. That he was born with the attributes of a diplomat was shown in his first interview with the Minister for Foreign Affairs, Count de Vergennes. "You come to replace Mr. Franklin, do you not?" asked Vergennes. Jefferson replied: "I come to succeed him. No one could replace him." Through those stormy years in France, Jefferson's home and table were the gathering places of some of the most brilliant of the leaders of political thought, of those men who later were to develop into the ill-fated Gironde.

Thus when Jefferson was summoned by General Washington to be the first Secretary of State of the United States, he was equipped as no other man of his time with the understanding of the philosophy

of liberal thought, together with that intuitive sympathy with the desires, struggles, and inarticulate hopes of the common people.

Fascinating as it is to study the man and the period, it was a period that was tarnished by an intensity of political virulence and animosity, so bitter that it is difficult even now for biographers to treat with justice the name either of Jefferson or of his great rival. Happily we have no conception at the present day of the hatred which entered into these early party struggles—a hatred so deeply engraved in that period that the waves of twelve decades washing over the memory have not been able completely to efface it. Let any one, however, come to this home of peace and be saturated in the spirit and with the memories which still impregnate these surroundings, and the bitterness and rivalry of those old days are forgotten and the great simple spirit of Jefferson stands out in the dignity and honor which is rightly his.

The virile race of men and women who came from Great Britain to establish her colonies on the American continent were a product of an age struggling for the principles of individual liberty and self-government. They were the heirs to the tradition of resistance against unlimited monarchy, and the children of those Englishmen who participated in the struggle from the period of the immortal Magna Charta, signed on the field of Runnymede, to the time when the emigration started to America. This slow and progressive struggle in Great Britain had gone on for centuries and the people had gradually attained a large degree of personal independence, personal security and liberty. Arriving in the New World with these ideas fostered by their history and tradition, they further developed the principles of self-government in this continent—in New England, the town meeting, often called the cradle of democracy; in Virginia, the House of Burgesses; and the Assemblies in the various colonies—had taught these hardy pioneers, hewing for themselves a home in the wilderness, and developing a sturdy manhood and independence of thought, the principles and blessings of self-government. It is not, therefore, surprising that when the British Government undertook to administer them without representation, they should rebel against foreign control, abhorrent to the principles to

which they had been reared, and that in Philadelphia one hundred and fifty years ago they promulgated to an awakening world those undying principles of liberty penned by Thomas Jefferson.

It is unnecessary to sketch to an American audience the events of that great struggle following the birth of this nation. It is sufficient to say that after the independence of the States had been declared and won upon the field of battle, the country was suffering from the weakness of the continental government, the jealousies and suspicions of the States, which bid fair to wreck the greatest experiment that had ever been made in history. It was this example of a powerless central government that led Washington, Hamilton, Jefferson, Madison, Franklin, and all the leading statesmen of the time to bend their efforts toward the establishment of a new Federal Government, and their labors resulted in the Constitution of the United States. As we look back now over the one hundred and forty years of this country under the Constitution, we marvel at the doubts of many of those able and patriotic men who framed this government, for the Constitution undoubtedly has far exceeded the expectations of its framers. It has demonstrated that it was adequate not only for the government of the sparsely settled thirteen States, but for the infinitely complex government of the forty-eight States increased in population and industry and bound together by inventions which have revolutionized the world.

During the debates on the Constitution and during the first administration of President Washington there developed two great schools of thought—one demanding a stronger central government with less power to the people and to the State, and the other, on the contrary, demanding a more liberal democracy with greater power to the people and to the States. These two schools met in a struggle which has been fought, and is still being fought, by peaceful means or by bloodshed, in every country in the world, and the two great protagonists of these different manners of thinking, Jefferson and Hamilton, typify this universal struggle. To Washington, to Hamilton and to John Marshall, perhaps more than to any others, must be given the credit for that interpretation of the Constitution ultimately expressed in the decisions of Marshall which have survived throughout our history to this day.

On the other hand we must remember that in the period of Washington's first administration a very small percentage of the citizens of the United States were entitled to vote or to participate in public affairs. To Thomas Jefferson more than to any other man is due the credit of arousing among the people of this land an interest in public affairs and a desire to participate in the Government. I might say truthfully that he, more than any other man, popularized our Constitutional Government.

The close of the eighteenth century and the beginning of the nineteenth was an epochal period of human history. Starting with the Declaration of Independence, spreading to France, South America, and generally over the Western World, a wave of liberal and democratic ideas submerged the lands. It is fortunate that the men of this continent in the early days most prominent in the liberal movements were patriotic and loyal citizens, who held fast to the Constitution, and that thus the United States did not have to pass through the turmoil, disorders and horrors of French Revolution.

The gradual development of a larger democracy in our representative government occurred in the peaceful struggle of the ballot box, principally during the life of Thomas Jefferson. We are fortunate that our representative democracy has survived the stormy periods of political upheaval in times of peace and the greatest test of the strength of the Nation in times of war. We are fortunate that, in general, we have been enabled to hold a wise balance between the excesses of democracy and those of a highly centralized government. The wise provisions of the written Constitution, so difficult to change when there is a challenge against the foundations of our government, are the great bulwark of defense against these excesses and abuses. Nevertheless by gradual degrees, by insidious approach under the guise of urgency of popular demand, there may be wrought in our Government changes which would imperil the liberty of American citizens, the stability of Government, and the permanency of law. Against such a danger the American people must ever be upon their guard. There is as great a danger in the encroachments upon the power of the Federal Government as there is in the encroachments upon the guaranteed American rights in popular demand for a wider and more liberal democracy.

In the heat of that civic struggle, with the sympathy which he held for the masses of the people, and ever the advocate of liberal democracy, Thomas Jefferson may have urged measures with which we could not agree. But throughout that struggle we must remember that he was unfailingly loyal to the Constitution of the United States and patriotic in his devotion to his country. He firmly adhered to and defended those guarantees contained in the Bill of Rights, and never tolerated any action which would have weakened in any degree one single principle expressed in the Constitution.

Amid these surroundings of Monticello, it is with Jefferson's last years of peace that my fancy most rejoices to dwell. We can see that erect, gaunt figure, that gentle face, that abundant silvery hair of the ex-President emerge from the door of Monticello in the morning, for he never allowed the sun to find him in bed. As he strolls in the garden, watching the sun break out over the rim, of a sudden comes the sound of childish voices raised to a shrill treble as the children catch sight of their grandfather and come tumbling about him to lead him in to breakfast. If the day were fine, immediately after that meal, the overseer of Monticello, Captain Bacon, arrived with the horses and the black servant, Jim. The three set out to inspect Jefferson's nail factory, or to repair the dam of Jefferson's mill. There was another task which gave Jefferson peculiar happinses—to measure and plan the halls of the new University. Back to his house for dinner, commenting eagerly on the growth of his trees and crops. Later Jefferson would seat himself at his writing table in the hours of the afternoon to maintain a correspondence of unrivalled volume and interest. People from all the States would write to him on the most diverse questions, and rather than offend even the most humble, Jefferson would answer with painstaking thoroughness, even at the expense of considerable research on his part. But in his packet of mail on this particular afternoon he suddenly sees a letter which brings a gleam to his eye. It is postmarked "Quincy, Massachusetts," and comes from his manhood's friend, his erstwhile political enemy, and the confidant of his old age, John Adams, that vehement old Puritan, mellowed and sweetened by experience and the passage of years. He has written a letter full of vigor and humor, through which glows his affection

for Jefferson. It begins: "I cannot be serious! I am about to write you the most frivolous letter you ever read. Would you go back to your cradle and live over again your seventy years?" Jefferson makes a reply to which may we all in the twilight of our lives subscribe: "You ask if I would agree to live my seventy or rather my seventy-three years over again? To which I say, yea. I think with you, that it is a good world on the whole; that it has been framed on a principle of benevolence, and more pleasure than pain dealt out to us. There are, indeed, (who might say nay) gloomy and hypochondriac minds, inhabitants of diseased bodies, disgusted with the present, and despairing of the future; always counting that the worst will happen, because it may happen. To these I say, how much pain have cost us the evils which have never happened! My temperament is sanguine. I steer my bark with Hope in the head, leaving Fear astern. My hopes, indeed, sometimes fail; but not oftener than the forebodings of the gloomy."

It is wise for us to build monuments and memorials to the lives and characters of great statesmen whose wisdom, foresight and patriotism have made possible the blessings which we enjoy today. It is wise to bring it about that through generations to come the youth of our nation shall visit these shrines, so that the examples of these men may be kept alive and the faith of our people renewed in the immortal principles of the Declaration of Independence and the Constitution of the United States. There are, and there should be, many of these monuments scattered over the land commemorating great names and great lives in our history. Below the National Capital on the banks of the Potomac on a green and wooded hill stands the modest old Colonial residence of the Father of our Country, and nearby his modest tomb. This place is now dedicated to the American people, and here every year come thousands upon thousands of his countrymen to view this peaceful scene, and to renew their allegiance to all that Washington accomplished and represents. There come not only his countrymen, but people from every land, every nationality, speaking every tongue, and in the centuries to come millions more will make pilgrimage to this place dedicated to American liberties. So we would make of this famous mansion, the home of Thomas Jefferson, a place where his

countrymen and the people of all nations may come year by year as time passes to renew the memories of that great patriot and statesman and to pledge themselves to the continuance of his lofty ideals and the purpose which he conceived.

## III. AT LAYING THE CORNERSTONE OF THE NEW YORK "WORLD" BUILDING

### CHAUNCEY M. DEPEW

*Speaker:* (See p. 250.)
*Occasion:* Laying the cornerstone of the New York *World* building, October 10, 1889.
*Audience:* Associates of the *World* and other newspapers; general public.

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(From the *Life and Later Speeches of Chauncey M. Depew,* Cassell Publishing Company, 1894.)

FELLOW-CITIZENS:

Two events happened within two years of each other in the sixteenth century which have had greater influence upon human rights and liberties than anything which has occurred during the Christian era. These were the landing of the Pilgrims upon Plymouth Rock, and the founding of the first newspaper in the English language. The results which followed the New England settlement have been singularly coincident with the development of the freedom and power of the press. The charter framed in the cabin of the *Mayflower* was the genesis of the principle of the equality of all men before the law, which is the spirit of American liberty and the source of our national progress and greatness. It created a system of government subject to public opinion, and the necessity for the fullest and freest expression of the voice of the people made possible the enfranchisement and pervading force of the press. The first American newspaper was founded 199 years ago, but, following the traditions of the past, the royal authority instantly suppressed it. The second effort of the censor to prohibit the criticism of officials and the discussion of current questions created Benjamin

Franklin and lighted the fires of the American Revolution. When royal Governors no longer dared to seize, and subservient legislatures to enact statutes to destroy the press, that cunning fiction of the law, the greater the truth the greater the libel, became a deadly instrument for vengeance and punishment in the hands of unscrupulous and arbitrary authorities. But the facts and fictions, the laws and precedents of other and older civilizations were swept away by the rising tide and resistless current of the new democracy. Here in the city of New York that sturdy old editor, John Peter Zenger, gave expression to the popular discontent and exposed the iniquities and assailed the tyrannical acts of the Government. The Governor ordered the Mayor and Council to attend the burning of Zenger's paper by the hangman, but they refused. After nine months' imprisonment he was finally brought to trial. Against the wishes of the Governor and the instructions of the Judge, the jury considered the truth of the alleged libel a justification for its publication, and acquitted him. The bonfires and the illuminations, the universal popular rejoicing and applause which greeted the verdict, were the public manifestations that the people had found and freed their tribune.

The bulletin first issued to privileged and official people, though claimed to be the parent of the newspaper, was in no sense the modern press. The town crier popularized the bulletin, but the memorable midnight news of the Philadelphia watchman, which announced the close of the Revolutionary War, "Cornwallis has surrendered and all's well," bears as little relation to the extra of today as does a shooting star to the comet which spans the heavens and illumines the universe. When the Declaration of Independence was proclaimed four weekly papers constituted the journalism of the State of New York. The account of Washington's inauguration in 1789, though regarded then, as now, as an event of incomparable significance, was sluggishly diffused in the succeeding four weeks, through the one hundred newspapers in the United States. But the celebration of its centennial in 1889 was chronicled the next morning in over a thousand dailies, and its lesson enforced in six thousand weeklies in this Republic, and the story borne on the lightning, preceding the sun and encircling the

globe, was greeted with the rising orb by the peoples of the earth as the dawn of a better day.

It is more difficult to ascertain the elements which make a powerful and successful journal than to discover the qualities which have created our great men. Horace Greeley once said that while it required extraordinary ability to build up a newspaper it needed greater genius to destroy one. This was an epigrammatic estimate of the tremendous momentum of an established journal. All famous papers differ in their characteristics, and appeal to and voice the sentiments of diverse constituencies, but are alike in their pronounced individuality and independence. The press had no real rank among the forces of civilization and society until the processes of evolution and development had produced the independent newspaper. The party organ is as necessary among a free people as the parties whose antagonisms secure healthy discussion and promote good government. But the thick-and-thin supporter of every measure, and defender of every man bearing the label of its organization, is a memory of the good old times. The great exponents of party principles both follow and lead. They are too near the popular judgment to be misled. Their prosperity no longer depends upon patronage or subsidies. Their fearless criticisms and significant warnings constantly check the charlatans or knaves who work to the front in every organization. Even the great leaders heed their warnings and fear their opposition. General Jackson could dismiss the *National Intelligencer* and give instant circulation and power to the *Telegraph* and Duff Green; and, with equal ease and ready acquiescence, the faithful on his order received their instructions and principles from the *Globe* and Francis P. Blair.

But today the press sits beside the ministers in cabinet council, participates in the discussions of the senate, and shares the secrets of the executive session. It is present at the consultations of the judges of every court, and penetrates the recesses of the jury room. The President no longer attempts to direct its utterances, but is of all citizens the most eager and attentive listener to its opinions. With all its power the newspaper is the expression of popular ideas and aspirations, and not their originator. The most marked feature of the increase of independent thought and individual action in our

generation is the success of journals which have no party ties, and are wedded to no definite policy; today friendly and tomorrow hostile to the government. In this campaign, supporting the candidates of one party and in the next those of the other, and in many cases denouncing both, they represent the constantly growing forces of intellectual discontent, the ever recruiting legions of doubters and free thinkers, who without forming a third party, account for shifting majorities, and curb the arrogance and moderate the demands of blind partisanship.

Our population may be divided into two classes—a smaller one which reads books and newspapers and a larger one which reads newspapers only. For the mass the press molds the opinions of the man and mars or mends the morals of his family. After an hour's conversation I can tell which one of our great metropolitan journals my friend habitually reads. It is transparent in his talk, and evident in his conduct.

The liberty of the press is so firmly established, and upon such liberal lines, that it need fear neither the condemnation of courts nor the verdicts of juries. Its only restraint is the judgment and conscience of its managers. The press performs one aggressive and essential function; little recognized, but of the utmost public importance. It does service in great cities which neither officials nor voluntary associations can accomplish. It has fearlessly exposed corruption when courts were paralyzed and citizens terrorized. It has inaugurated reforms which have been the salvation of municipal government. The absorption of the people in great metropolitan centers in their private business, and the absence of opportunity for general gatherings and ordinary acquaintance, destroy public spirit and leave the management of affairs to professional manipulators, who often administer upon the property of the people as if it were their personal estate. In these conditions the press fulfills the functions of the mass meeting, of the vigilance committee, of the council of public safety and political reform. Without its Argus-eyed watchfulness and courageous integrity, government in these vast and crowded settlements of struggling masses and clashing interests, of divers nationalities and antagonistic civilizations, would be a dismal experience and frightful failure.

The laying of the corner-stone of one of these immense structures, which houses a great journal and is the enduring monument of its success and power, is an event of more than ordinary interest. Around and in sight of us are buildings which express more eloquently both the intellectual and material progress of the country than its stately capitols or splendid palaces, its furnaces or factories, its mills or its railroads. The Pyramids and obelisks of the past, the national monuments of every age, are symbols of force and conquest. But these splendid structures, built by the modern newspaper, are the results of a combination of brains and business, of mental vigor and culture, of ability in the conduct of affairs, of statesmanship and common sense, which makes possible American literature and perpetuates American liberty. Yonder rise the stories and towers which will tell to all succeeding generations the story and the glory of Greeley and Raymond, of Bennett and Bryant and Dana.

Upon this spot will be erected a building worthy of its wonderful surroundings and illustrating the strength and influence of a great journal and the limitless opportunities this Republic offers to genius and pluck. The growth of the *World*, since Mr. Joseph Pulitzer became its proprietor, is the present marvel of newspaper history. It is only six years since he assumed its ownership and management, and, from a daily circulation of less than ten thousand, it issues from its mammoth presses millions of copies a week, and in the reversal of the conditions which made it a profitless enterprise, its income rears this massive pile. Starting in a field apparently full, the New York *World* has made for itself power, position, and influence unsurpassed among its contemporaries.

Twenty-six years ago a youth landed on these shores from Hungary. He had neither money nor acquaintances nor friends in this strange land, and was ignorant of our language. In the meridian of his manhood he is now the proprietor of a successful journal in the West and of this great metropolitan newspaper. The structure which will rise above this corner-stone will be not only an enduring monument to his ability and energy, but will illustrate for coming generations the assimilative power of our institutions

and the equal possibilities under them for all citizens, whether native or foreign born, to attain fame and fortune.

## *3. Inaugural*

### I. INAUGURATION AS PRESIDENT OF THE DEPARTMENT OF SUPERINTENDENCE, NATIONAL EDUCATION ASSOCIATION

WILLIAM McANDREW

*Speaker:* Superintendent of Schools, Chicago, Illinois, 1923–1928; editor, *Educational Review;* author, educational articles.
*Occasion:* Opening of the 55th Annual Meeting of the Department of Superintendence, National Education Association, Cincinnati, Ohio, February 23, 1925.
*Audience:* Members of the department.

(From the *National Education Association Proceedings,* 1925.)

Ladies and Gentlemen:

Sixty years ago this association was launched in Harrisburg, bearing the name "The National Association of School Superintendents." During these two generations its emphasis has flitted from point to point, resting now here, now there, in the wide expanse of educational doctrine.

We started in 1865 with a determination to have our business recognized as a profession. The West was always generous in this regard; it called every schoolman Professor. In time the colleges began to help and are now nobly making what the professors profess professional. Our association's record shows us stressing in 1866 the value of methods, chiefly those of Oswego and then of Quincy. Now, with Batavia plans, Dalton plans, Gary plans, every little village has a method of its own. In 1876 we began promoting the idea that manual training will add to our national wealth. The hand workers are now getting more than their teachers. In 1886 we claimed that money spent on schools would save expense of

jails and courts. We spend more now on all three and Dr. Pritchett says it is too much. In 1896 we sang the claims of culture and adopted the alluring slogan: "Education for Leisure." We are now looking for the leisure. By 1906 the testers and researchers had injected a suspicion that the training in our grammar, algebra, Latin, and other fads was valuable in no other field than that of grammar, algebra, Latin, or any other particular fad. In 1916 intelligence testers evolved the dismal doubt as to whether we can do much worth while with what the inheritance of glands and brain-cells has already determined for bad and all.

Like a golden thread running through the weaving of our sixty years is our declaration that the preponderating purpose of it all is the preservation and perfection of our social and political union. Horace Mann had stressed this—all Boston schoolmasters protesting—thirty years before we organized ourselves. Stevens, Clinton, Webster, arguing for schools at the expense of all the people, had promised, if the tax laws were passed, that a perpetual devotion of an educated people to a high and pure civic ideal would ensue. They were sixty years behind the makers of the nation who had listed civic virtue as the one great reason for converting education into a function of a self-governing republic. For 150 years since the Revolution its educational doctrine, schools for political progress, has been accepted, its direct application remaining appallingly in the background. Established for the perfection of government, education has the melancholy record of seeing its alumni avoiding the simplest duties of politics. Proposed by the Father of his Country for the enlightenment of that public opinion upon which government by the people rests, the public school sees half of the populace shirking its civic duty and that half containing most of education's output.

Should the Fathers who harbored such high hopes of universal instruction as a government duty come back to earth as a Survey Committee and ask, "What have you devised to train the nation in its civic and moral duties as men and citizens? What are the exercises making up your students' days work under your guidance? What are the things most stressed in the preparation of your teachers? What are considered most important in the institutions

harboring your youth of from fourteen to eighteen years of age when real thinking may begin? What is of most account in your state colleges and universities?"

Should they see to what extent we have retained the contents of ancient schooling and neglected a whole-souled reconstruction of educational procedure for civic and political ends, I can imagine them remarking, "We statesmen had our Revolution in '76; when does the schoolmasters' revolution begin?"

This association, in spots, is coming around to see that the reason public schools are paid for, not by parents as such but by the whole community, is that public schools may devote themselves to teaching us our duties toward the community. This association has a commission of schoolmasters devoted to devising a course of study for American schools, a course devoted not to reading, writing, and arithmetic, for their own sakes, not to personal ornament, accomplishment, nor success of John and Mary, but to the general welfare. The men on that commission themselves illustrate the spirit of public service in that they are giving free what, if published by themselves in book form, would bring them respectable financial reward. They are entitled to enthusiastic approbation. On your behalf I hereby tender it.

"Only the spirit can teach. Only he can give who has. He only can create who is. He on whom the soul descends can teach. Courage, piety, love, wisdom can teach. But he who aims as books enable, as interest demands, only babbles; let him hush."

## II. FIRST INAUGURATION AS PRESIDENT OF THE UNITED STATES

### WOODROW WILSON

*Speaker:* Twenty-eighth President of the United States, 1913–21. (See also p. 3.)

*Occasion:* Inaugural ceremony, Washington, D. C., March 4, 1913. The Democratic Party was returning to power after a lapse of sixteen years.

*Audience:* High government officials of the United States, representatives of

foreign governments, and the general public. Readers of the speech included a large percentage of the whole American public.

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(From *The Public Papers of Woodrow Wilson,* Vol. I, Harper & Brothers, 1926.)

There has been a change of government. It began two years ago, when the House of Representatives became Democratic by a decisive majority. It has now been completed. The Senate about to assemble will also be Democratic. The offices of President and Vice-President have been put into the hands of the Democrats. What does the change mean? That is the question that is uppermost in our minds to-day. That is the question that I am going to try to answer, in order, if I may, to interpret the occasion. It means much more than the mere success of a party.

The success of a party means little except when the nation is using that party for a large and definite purpose. No one can mistake the purpose for which the nation now seeks to use the Democratic Party. It seeks to use it to interpret a change in its own plans and point of view. Some old things with which we had grown familiar, and which had begun to creep into the very habit of our thought and of our lives, have altered their aspect as we have latterly looked critically upon them, with fresh, awakened eyes; have dropped their disguises and shown themselves alien and sinister. Some new things, as we look frankly upon them, willing to comprehend their real character, have come to assume the aspect of things long believed in and familiar, stuff of our own convictions. We have been refreshed by a new insight into our own life.

We see in many things that life is very great. It is incomparably great in its material aspects, in its body of wealth, in the diversity and sweep of its energy, in the industries which have been conceived and built up by the genius of individual men and the limitless enterprise of groups of men. It is great, also, very great, in its moral force.

Nowhere else in the world have noble men and women exhibited in more striking forms the beauty and the energy of sympathy and helpfulness and counsel in their efforts to rectify wrong, alleviate suffering, and set the weak in the way of strength and hope. We

have built up, moreover, a great system of government, which has stood through a long age as in many respects a model for those who seek to set liberty upon foundations that will endure against fortuitous change, against storm and accident. Our life contains every great thing, and contains it in rich abundance.

But the evil has come with the good, and much fine gold has been corroded. With riches has come inexcusable waste. We have squandered a great part of what we might have used, and have not stopped to conserve the exceeding bounty of nature, without which our genius for enterprise would have been worthless and impotent, scorning to be careful, shamefully prodigal as well as admirably efficient. We have been proud of our industrial achievements, but we have not hitherto stopped thoughtfully enough to count the human cost, the cost of lives snuffed out, of energies overtaxed and broken, the fearful physical and spiritual cost to the men and women and children upon whom the dead weight and burden of it all has fallen pitilessly the years through. The groans and agony of it all had not yet reached our ears, the solemn, moving undertone of our life, coming up out of the mines and factories and out of every home where the struggle had its intimate and familiar seat. With the great government went many deep secret things which we too long delayed to look into and scrutinize with candid, fearless eyes. The great government we loved has too often been made use of for private and selfish purposes, and those who used it had forgotten the people.

At last a vision has been vouchsafed us of our life as a whole. We see the bad with the good, the debased and decadent with the sound and vital. With this vision we approach new affairs. Our duty is to cleanse, to reconsider, to restore, to correct the evil without impairing the good, to purify and humanize every process of our common life without weakening or sentimentalizing it. There has been something crude and heartless and unfeeling in our haste to succeed and be great. Our thought has been "Let every man look out for himself, let every generation look out for itself," while we reared giant machinery which made it impossible that any but those who stood at the levers of control should have a chance to look out for themselves. We had not forgotten our morals. We re-

membered well enough that we had set up a policy which was meant to serve the humblest as well as the most powerful, with an eye single to the standards of justice and fair play, and remembered it with pride. But we were very heedless and in a hurry to be great.

We have come now to the sober second thought. The scales of heedlessness have fallen from our eyes. We have made up our minds to square every process of our national life again with the standards we so proudly set up at the beginning and have always carried at our hearts. Our work is a work of restoration.

We have itemized with some degree of particularity the things that ought to be altered and here are some of the chief items: A tariff which cuts us off from our proper part in the commerce of the world, violates the just principles of taxation and makes the government a facile instrument in the hands of private interests; a banking and currency system based upon the necessity of the government to sell its bonds 50 years ago and perefctly adapted to concentrating cash and restricting credits; an industrial system which, take it on all its sides, financial as well as administrative, holds capital in leading strings, restricts the liberties and limits the opportunities of labor, and exploits without renewing or conserving the natural resources of the country; a body of agricultural activities never yet given the efficiency of great business undertakings or served as it should be through the instrumentality of science taken directly to the farm, or afforded the facilities of credit best suited to its practical needs; water courses undeveloped, waste places unreclaimed, forests untended, fast disappearing without plan or prospect of renewal, unregarded waste heaps at every mine. We have studied as perhaps no other nation has the most effective means of production, but we have not studied cost or economy as we should either as organizers of industry, as statesmen, or as individuals.

Nor have we studied and perfected the means by which government may be put at the service of humanity, in safeguarding the health of the nation, the health of its men and its women and its children, as well as their rights in the struggle for existence. This is no sentimental duty.

The firm basis of government is justice, not pity. These are matters of justice. There can be no equality or opportunity, the first essential of justice in the body politic, if men and women and children be not shielded in their lives, their very vitality, from the consequences of great industrial and social processes which they cannot alter, control, or singly cope with. Society must see to it that it does not itself crush or weaken or damage its own constituent parts. The first duty of law is to keep sound the society it serves. Sanitary laws, pure food laws, and laws determining conditions of labor which individuals are powerless to determine for themselves are intimate parts of the very business of justice and legal efficiency.

These are some of the things we ought to do, and not leave the others undone, the old-fashioned, never-to-be-neglected, fundamental safeguarding of property and of individual right. This is the high enterprise of the new day; to lift everything that concerns our life as a nation to the light that shines from the hearthfire of every man's conscience and vision of the right. It is inconceivable that we should do this as partizans; it is inconceivable we should do it in ignorance of the facts as they are or in blind haste. We shall restore, not destroy. We shall deal with our economic system as it is and as it may be modified, not as it might be if we had a clean sheet of paper to write upon, and step by step we shall make it what it should be, in the spirit of those who question their own wisdom and seek counsel and knowledge, not shallow self-satisfaction or the excitement of excursions whither they cannot tell. Justice, and only justice, shall always be our motto.

And yet it will be no cool process of mere science. The nation has been deeply stirred, stirred by a solemn passion, stirred by the knowledge of wrong, of ideals lost, of government too often debauched and made an instrument of evil. The feelings with which we face this new age of right and opportunity sweep across our heart-strings like some air out of God's own presence, where justice and mercy are reconciled and the judge and the brother are one. We know our task to be no mere task of politics, but a task which shall search us through and through, whether we be able to understand our time and the need of our people, whether we be indeed their spokesmen and interpreters, whether we have the pure

heart to comprehend and the rectified will to choose our high course of action.

This is not a day of triumph; it is a day of dedication. Here muster, not the forces of party, but the forces of humanity. Men's hearts wait upon us; men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try? I summon all honest men, all patriotic, all forward-looking men, to my side. God helping me, I will not fail them, if they will but counsel and sustain me!

## III. SECOND INAUGURATION AS PRESIDENT OF THE UNITED STATES

### ABRAHAM LINCOLN

*Speaker:* Sixteenth President of the United States, 1861–1865.
*Occasion:* Inaugural ceremony at the beginning of Lincoln's second term, Washington, D. C., March 4, 1865. This was during the Civil War.
*Audience:* High government officials of the United States, representatives of foreign governments, and general public. Readers of the speech included practically the whole American public and many persons of foreign lands.

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(From the copy as written out previous to the delivery of the speech.)

FELLOW-COUNTRYMEN:

At this second appearing to take the oath of the presidential office, there is less occasion for an extended address than at the first. Then a statement somewhat in detail of the course to be pursued seemed very fitting and proper; now, at the expiration of four years, during which public declarations have constantly been called forth concerning every point and place of the great contest which still absorbs attention and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself. It is, I trust, reasonably satisfactory and encouraging to all. With a high hope for the future, no prediction in that regard is ventured. On the occasion corresponding to this four years ago,

all thoughts were anxiously directed to an impending civil war. All dreaded it. All sought to avoid it. While the Inaugural Address was being delivered from this place, devoted altogether to saving the Union without war, the insurgent agents were in the city seeking to destroy it without war,—seeking to dissolve the Union, and divide the effects by negotiating. Both parties deprecated war, but one of them would make war rather than let it perish, and war came. One-eighth of the whole population were colored slaves, not distributed generally over the Union, but located in the southern part. These slaves contributed a peculiar and powerful interest. All knew the interest would somehow cause war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union by war, while the Government claimed no right to do more than restrict the territorial enlargement of it. Neither party expected the magnitude or duration which it has already attained; neither anticipated that the cause of the conflict might cease even before the conflict itself should cease. Each looked for an easier triumph and a result less fundamental and astonishing. Both read the same Bible and pray to the same God. Each invokes His aid against the other. It may seem strange that any man should dare to ask a just God's assistance in wringing bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayer of both should not be answered; that of neither has been answered fully, for the Almighty has His own purposes. "Woe unto the world because of offenses, for it must needs be that offense come; but woe unto that man by whom the offense cometh." If we shall suppose American slavery one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war, as was due to those by whom the offense came, shall we discern that there is any departure from those divine attributes which believers in the living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away; yet if it be God's will that it continue until the wealth piled by bondsmen by two hundred and fifty years' unrequited toil shall be sunk, and until every drop of blood drawn

with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said that the judgments of the Lord are true and righteous altogether.

With malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans; to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations.

## *4. Eulogies*

### I. EULOGY ON DAVID D. FORSYTH

FRANCIS J. McCONNELL

*Speaker:* Bishop of the Methodist Episcopal Church; formerly President of DePauw University, 1909–1912; author of numerous religious works.

*Occasion:* Memorial service for David D. Forsyth at the annual meeting of the Board of Home Missions of the Methodist Episcopal Church, Syracuse, New York, November 18, 1926.

*Audience:* Members of the Board of Home Missions; members of the Methodist Church of Syracuse.

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Here is the most common type of eulogy. It commemorates a man whose life justifies eulogy, yet who was not nationally known to persons outside of his own field of work. It is delivered by a man who is intimately acquainted with most of his hearers and personally known to all. In setting and in treatment, there is a slight touch of informality which adds to the intimacy of the occasion.

Attention should also be called to the fact that, although the hearers were well acquainted with the later life and work of David D. Forsyth, they were but slightly or not at all familiar with his early life. Hence the biographical emphasis in the treatment.

David Dryden Forsyth was born in Wisconsin in 1864. About 1868 the Forsyth family moved to the neighborhood of Mason City, Ia., and four years later moved again to what was then an untouched prairie region about twenty miles north of Broken Bow, Neb. Here

David Forsyth lived until he went to the State University of Nebraska where he was graduated in the class of 1889. Among his classmates at Lincoln were Dean Roscoe Pound and Professor Holmes. During his senior year he was taken desperately ill with pneumonia, so ill that the doctor despaired of his life. According to the doctor's story, when it seemed that young Forsyth would die, the doctor knelt by the sick youth's bedside and promised the Lord to do all possible to persuade the young man to abandon the study for the law and turn to the ministry if restoration to health were granted. The prayed-for recovery came and Dr. Paine told Forsyth of the promise at the bedside. Forsyth's remark was characteristic. "It seems to me you are very generous in disposing of other people's lives"—but the subsequent consideration of the doctor's work was characteristic also, for after careful reflection the restored man betook himself to Garrett Biblical Institute for two years, and then returned to join the Northwest Nebraska Annual Conference. In a notably brief period David Forsyth reached the foremost pulpit of his Conference, that at Kearney, and thereafter served charges in Cheyenne, Wyo., Delta and Grand Junction in Colorado. The late Bishop William A. Quayle did not boast much of his own administrative ability, but he occasionally showed positive genius in appointment making. Holding the Colorado Conference in 1910, Bishop Quayle became convinced that all the Methodist work in Denver should be so rearranged as to put it in one district. In the face of considerable protest he reshaped the district and put David Forsyth at the head of it. To the objectors the Bishop said, with his inimitable drawl, that he had put on the district a man who could handle it as easily as a schoolboy could make and throw a snowball. The years have proved the soundness of Bishop Quayle's judgment. In the six years of Forsyth's administration the Denver district built up and turned over to Dr. Auman, his able successor, the best coördinated, the most thoroughly unified, the most smoothly working city district that I have ever known. In those six years were revealed also the great abilities which Dr. Forsyth manifested from 1916 to 1926 as the Corresponding Secretary of the Board of Home Missions and Church Extension.

Professor F. J. Turner of Harvard has written a remarkable book

on the *Significance of the Frontier in American History*. Professor Turner points out that, following the foundation of the Republic, the growing life of the young nation showed itself most uniquely in the conquest of the western wilderness and that all the more important policies of the United States, both domestic and foreign, for one hundred years, take their distinctiveness from the activity and the thinking and the character of the frontiersman who was a new and peculiar type in the history of humanity.

I am not enough of an expert to be entitled to an opinion as to whether the suggestive theories of Professor Turner are altogether sound or not, but I am quite confident that the Turner doctrine is fruitful as a clue to the understanding of Methodist history. At an early date American Methodism ceased to look across the sea to England and turned its face westward. Wherever the pioneer went there went the Methodist itinerant also, the preacher making as unique and definite a contribution of thought and character as the pioneer. The stamp of the frontier marks Methodism indelibly, marks it as Professor Turner says it marks our nation with inescapable significance.

Now for fifteen years I have thought of David D. Forsyth as the establishment of the frontier spirit at its highest and best. Permit me in just a few words to hint at some of the experiences which make him in fact a man of the frontier. As I have said above, his earliest recollection was of movement westward from Missouri, to Iowa, to Nebraska as a child in a frontiersman's family. It has been my honor and privilege in these recent years to travel extensively with Dr. Forsyth. At rare moments he would tell enough of his early life to give swift but vivid glimpses of the old pioneer days—of plowing the prairie in his boyhood with a plow worker walking ahead of the horses with a rifle cocked and ready for instant use—of the days of '76 when, because of the Sioux uprising, the pioneers, the Forsyths among them, traveled together a hundred miles to Loup City to face the winter in a settlement too strong to be attacked, hostile scouts hanging in the flanks of the marching company—of the hundred mile journeys to a doctor with the sick from widely scattered homesteads. I have heard him tell of being sent to hold a legal claim to land against the protests and threats of

a notorious "bad" man who had threatened to kill any Forsyth who insisted on defying the edict against the Forsyth claim. At night time the youthful David would see the "bad" man's dog nosing around the entrance of the Forsyth shack, the man himself not quite daring to venture through the doorless opening and thus to make a target of himself against any light whatever. I have heard Forsyth tell also of his first appointment. Sent by the Bishop to a little church where preaching had been intermittent for years, he tried without avail to find a boarding place, until a gaunt, silent giant of a man sought him out, took him to his house and kept him through the winter. The benefactor attended the church every Sunday during Forsyth's stay, always sat on the front seat and looked out absently through the window and across the plains. Some months after the pastorate there closed, David Forsyth learned that the man who had thus befriended him had shot and killed David's uncle in a frontier quarrel years before, and presumably was thus working out an expiation of kindliness to the nephew.

Out of twenty years of youth spent thus in a round of frontiersman experiences too numerous to mention here, David D. Forsyth won for himself the strength in which we, in these late years, came to lean so heavily, a herculean physical might, an instinct for the real which stripped off all artificialities whatsoever, a resourcefulness which could bring its full force to bear quickly upon impressive emergencies springing up in the path in the twinkling of an eye. He learned to face, undaunted, situations which were utterly without precedents.

The position to which Dr. Forsyth was elected in 1916, I repeat, made demands upon the qualities developed on the frontier. At the 1916 General Conference, the Board of Home Missions and Church Extension was re-organized throughout. The scale on which the Board worked, and the multitudinous variety of its activities made the situation for the Secretary unparalleled in our administrative history. Moreover, the period of our national life was itself without parallel. The General Conference of 1916 closed just eleven months before our entry into the World War. The war brought unprecedented problems, with its distribution of industry and its redistribution of masses of population into training camps and into war-

time manufacturing centers. Night after night, till far toward morning, Dr. Forsyth worked away on plans on which the past history of the Board of Home Missions and Church Extension could throw no light at all. Then came the Centenary, likewise beating new paths; then the declining interest on the part of the Church in the Centenary and World Service program, a decline for which no individual was responsible, a decline coming in part out of disillusionment after the war, in part out of the moral lassitude which followed the psychological overstrain of the five years following 1917. By the time the General Conference of 1924 met, practically all the official heads of societies responsible for the Centenary movement had passed out of official position or were working in other fields. To Dr. Forsyth more than to any other individual was left the task of salvaging the physical and spiritual results of the vast program inaugurated by the Centenary. The task called for inevitable patience, good humor and firmness. Churches in wealthy communities abundantly able to take care of their own material needs, came clamoring, often angrily, to Dr. Forsyth's door, asking for missionary funds to complete purely local enterprises, and blaming him because the funds were not available; and yet in practically every case the complainant went away satisfied with the explanation of Dr. Forsyth.

In this emphasis upon the frontiersman characteristics of our departed leader as serving the church in altogether new situations, I wish to guard against any suggestion that the man whose passing we mourn partook of the roughness which we sometimes associate with men called in to do a rough work. The biographers even of Abraham Lincoln have at times found it necessary to explain a certain coarseness in Lincoln's utterance by reference to the severe conditions of pioneer life. Nobody doubts the fine purity of Lincoln's heart. I wish to say, however, that after long intimacy with David Dryden Forsyth, who like Abraham Lincoln lived through severe pioneer conditions, I never saw in him any trace of roughness or coarseness. He was at times frank to the point of brusqueness, but only in cases where such frankness was the part of kindness. He was fine by nature, and the pioneer lost nothing of its exquisite quality by the stern experiences through which he lived.

I have spoken of Lincoln. When the word came to the bishops' meeting in Denver that David D. Forsyth had fallen, there came at once to my mind certain lines here and there from Edward Markham's poem on Lincoln, phrases as applicable to our fallen leader as to the great Lincoln himself—

> So came the captain with the mighty heart . . .
> He held his place . . . held his long purpose like a growing tree
> . . . held on through praise and faltered not at blame
> When he went down . . . he fell as when a lordly cedar full of boughs,
> goes down with a great shout upon the hills
> And leaves a lonesome place against the sky.

## II. EULOGY ON DANIEL O'CONNELL

### WENDELL PHILLIPS

*Speaker:* (1811–1884) American orator and reformer; for 24 years preceding the Civil War an abolitionist agitator; after the Civil War a general critic of men and affairs. He belongs to the coterie of supremely gifted American orators.

*Occasion:* The one hundredth anniversary of the birth of Daniel O'Connell, August 6, 1875, in Music Hall, Boston.

*Audience:* Popular audience, composed chiefly of Irish, Irish descendants, and Irish sympathizers.

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This speech may be taken as a typical example of a formal, selective eulogy, delivered upon a great occasion.

But for the serious student of speaking, it possesses another and much greater value. It represents one of the best efforts of a master of speech style who has had few equals among English speaking peoples. In general, it may be said that Phillips' style is especially distinctive for its richness of imagery, its wealth of illustration and allusion, and its abundance of direct discourse. H. B. Gislason, in discussing the pictorial qualities of Phillips' style (*Quarterly Journal of Speech Education*, April 1917, p. 127), points out that this address contains 5 similes, 6 anecdotes, 22 analogies, and 55 metaphors. It might also be pointed out that during this speech he makes 76 comparisons of various attributes of O'Connell to 53 different men.

The general effect of these qualities is to produce a terse, crackling, sword-like style, which is perhaps the very best of models for the intercollegiate orator to study.

A hundred years ago to-day Daniel O'Connell was born. The Irish race, wherever scattered over the globe, assembles to-night to pay fitting tribute to his memory—one of the most eloquent men, one of the most devoted patriots, and the most successful statesman which that race has given to history. We of other races may well join you in that tribute, since the cause of constitutional government owes more to O'Connell than to any other political leader of the last two centuries. The English-speaking race, to find his equal among statesmen, must pass by Chatham and Walpole, and go back to Oliver Cromwell, or the able men who held up the throne of Queen Elizabeth. If to put the civil and social elements of your day into successful action, and plant the seeds of continued strength and progress for coming times—if this is to be a statesman, then most emphatically was O'Connell one. To exert this control, and secure this progress, while and because ample means lie ready for use under your hand, does not rob Walpole and Colbert, Chatham and Richelieu, of their title to be considered statesmen. To do it, as Martin Luther did, when one must ingeniously discover or invent his tools, and while the mightiest forces that influence human affairs are arrayed against him, that is what ranks O'Connell with the few masterly statesmen the English-speaking race has ever had. When Napoleon's soldiers bore the negro chief Toussaint L'Ouverture into exile, he said, pointing back to San Domingo, "You think you have rooted up the tree of liberty, but I am only a branch. I have planted the tree itself so deep that ages will never root it up." And whatever may be said of the social or industrial condition of Hayti during the last seventy years, its nationality has never been successfully assailed.

O'Connell is the only Irishman who can say as much of Ireland. From the peace of Utrecht, 1713, till the fall of Napoleon, Great Britain was the leading state in Europe; while Ireland, a comparatively insignificant island, lay at its feet. She weighed next to nothing in the scale of British politics. The Continent pitied and England despised her. O'Connell found her a mass of quarreling races and sects, divided, dispirited, broken-hearted, and servile. He made her a nation whose first word broke in pieces the iron obstinacy of Wellington, tossed Peel from the Cabinet, and gave the govern-

ment to the Whigs; whose colossal figure, like the helmet in Walpole's romance, has filled the political sky ever since; whose generous aid thrown into the scale of the three great British reforms,—the ballot, the corn-laws, and slavery,—secured their success; a nation whose continual discontent has dragged Great Britain down to be a second-rate power on the chess-board of Europe. I know other causes have helped in producing this result, but the nationality which O'Connell created has been the main cause of this change in England's importance. Dean Swift, Molyneux, and Henry Flood thrust Ireland for a moment into the arena of British politics, a sturdy suppliant clamoring for justice; and Grattan held her there an equal, and, as he thought, a nation, for a few years. But the unscrupulous hand of William Pitt brushed away in an hour all Grattan's works. Well might he say of the Irish Parliament which he brought to life, "I sat by its cradle, I followed its hearse"; since after that infamous union, which Byron called a "union of the shark with its prey," Ireland sank back, plundered and helpless. O'Connell lifted her to a fixed and permanent place in English affairs—no suppliant, but a conqueror dictating her terms.

This is the proper standpoint from which to look at O'Connell's work. This is the consideration that ranks him, not with founders of states, like Alexander, Cæsar, Bismarck, Napoleon, and William the Silent, but with men who, without arms, by force of reason, have revolutionized their times—with Luther, Jefferson, Mazzini, Samuel Adams, Garrison, and Franklin. I know some men will sneer at this claim—those who have never looked at him except through the spectacles of English critics, who despised him as an Irishman and a Catholic, until they came to hate him as a conqueror. As Grattan said of Kirwan, "The curse of Swift was upon him, to have been born an Irishman and a man of genius, and to have used his gifts for his country's good." Mark what measure of success attended the able men who preceded him, in circumstances as favorable as his, perhaps even better; then measure him by comparison.

An island soaked with the blood of countless rebellions; oppression such as would turn cowards into heroes; a race whose disciplined valor had been proved on almost every battlefield in Europe, and whose reckless daring lifted it, any time, in arms against

England, with hope or without—what inspired them? Devotion, eloquence, and patriotism seldom paralleled in history. Who led them? Dean Swift, according to Addison, "the greatest genius of his age," called by Pope "the incomparable," a man fertile in resources, of stubborn courage and tireless energy, master of an English style unequaled, perhaps, for its purpose then or since, a man who had twice faced England in her angriest mood, and by that masterly pen subdued her to his will; Henry Flood, eloquent even for an Irishman, and sagacious as he was eloquent—the eclipse of that brilliant life one of the saddest pictures in Irish biography; Grattan, with all the courage, and more than the eloquence, of his race, a statesman's eye quick to see every advantage, boundless devotion, unspotted integrity, recognized as an equal by the world's leaders, and welcomed by Fox to the House of Commons as the "Demosthenes of Ireland"; Emmet in the field, Sheridan in the senate, Curran at the bar; and, above all, Edmund Burke, whose name makes eulogy superfluous, more than Cicero in the senate, almost Plato in the academy. All these gave their lives to Ireland; and when the present century opened, where was she? Sold like a slave in the marketplace by her perjured master, William Pitt.

It was then that O'Connell flung himself into the struggle, gave fifty years to the service of his country; and where is she to-day? Not only redeemed, but her independence put beyond doubt or peril. Grattan and his predecessors could get no guaranties for what rights they gained. In that sagacious, watchful, and almost omnipotent public opinion, which O'Connell created, is an all-sufficient guaranty of Ireland's future. Look at her! almost every shackle has fallen from her limbs; all that human wisdom has as yet devised to remedy the evils of bigotry and misrule has been done. O'Connell found Ireland a "hissing and a byword" in Edinburgh and London. He made her the pivot of British politics; she rules them, directly or indirectly, with as absolute a sway as the slave question did the United States from 1850 to 1865. Look into Earl Russell's book, and the history of the Reform Bill of 1832, and see with how much truth it may be claimed that O'Connell and his fellows gave Englishmen the ballot under that act. It is by no means certain that the corn-laws could have been abolished

without their aid. In the Anti-slavery struggle O'Connell stands, in influence and ability, equal with the best. I know the credit all those measures do to English leaders; but, in my opinion the next generation will test the statesmanship of Peel, Palmerston, Russell, and Gladstone, almost entirely by their conduct of the Irish question. All the laurels they have hitherto won in that field are rooted in ideas which Grattan and O'Connell urged on reluctant hearers for half a century. Why do Bismarck and Alexander look with such contemptuous indifference on every attempt of England to mingle in European affairs? Because they know they have but to lift a finger, and Ireland stabs her in the back. Where was the statesmanship of English leaders when they allowed such an evil to grow so formidable? This is Ireland to-day. What was she when O'Connell undertook her cause? The saddest of Irish poets has described her:

O Ireland, my country, the hour of thy pride and thy splendor hath passed,
And the chain that was spurned in thy moments of power hangs heavy round thee at last!
There are marks in the fate of each clime, there are turns in the fortunes of men;
But the changes of realms or the chances of time shall never restore thee again.

Thou art chained to the wheel of the foe by links which a world cannot sever:
With thy tyrant through storm and through calm thou shalt go, and thy sentence is bondage forever.
Thou art doomed for the thankless to toil, thou art left for the proud to disdain:
And the blood of thy sons and the wealth of thy soil shall be lavished and lavished in vain.

Thy riches with taunts shall be taken, thy valor with coldness be paid;
And of millions who see thee thus sunk and forsaken not one shall stand forth in thine aid.
In the nations thy place is left void; thou art lost in the list of the free;
Even realms by the plague and the earthquake destroyed may revive, but no hope is for thee.

It was at this moment, when the cloud came down close to earth,

that O'Connell, then a young lawyer just admitted to the bar, flung himself in front of his countrymen, and begged them to make one grand effort. The hierarchy of the Church disowned him. They said, "We have seen every attempt lead always up to the scaffold; we are not willing to risk another effort." The peerage of the island repudiated him. They said, "We have struggled and bled for a half dozen centuries; it is better to sit down content." Alone, a young man, without office, without wealth, without renown, he flung himself in front of the people, and asked for a new effort. What was the power left him? Simply the people—poverty-stricken, broken-hearted peasants standing on a soil soaked with the blood of their ancestors, cowering under a code of which Brougham said that "they could not lift their hands without breaking it." It was a community impoverished by five centuries of oppression—four millions of Catholics robbed of every acre of their native land; it was an island torn by race-hatred and religious bigotry, her priests indifferent, and her nobles hopeless or traitors. The wiliest of her enemies, a Protestant Irishman, ruled the British senate; the sternest of her tyrants, a Protestant Irishman, led the armies of Europe. Puritan hate, which had grown blinder and more bitter since the days of Cromwell, gave them weapons. Ireland herself lay bound in the iron links of a code which Montesquieu said could have been "made only by devils, and should be registered only in hell." Her millions were beyond the reach of the great reform engine of modern times, since they could neither read nor write.

Well, in order to lead Ireland in that day an Irishman must have four elements, and he must have them also to a large extent to-day. The first is, he must be what an Irishman calls a gentleman, every inch of him, from the crown of his head to the sole of his foot—that is, he must trace his lineage back to the legends of Ireland. Well, O'Connell could do that; he belonged to one of the perhaps seven royal families of the old history. Secondly, he must have proved his physical courage in the field or by the duel. Well O'Connell knew this; his enemies knew it. Bred at St. Omer, with a large leaning to be a priest, he had the most emphatic scruples against the duel, and so announced himself; so that when he had got his head above the mass and began to be seen, a Major d'Esterre,

agent of the Dublin Corporation, visited him with continuous insult. Every word that had insult in it was poured upon his head through the journals. O'Connell saw the dread alternative—he must either give satisfaction to the gentleman or leave the field; and at last he consented to a challenge. He passed the interval between the challenge and the day of meeting in efforts to avoid it, which were all attributed to cowardice. When at last he stood opposite his antagonist, he said to his second, "God forbid that I should risk a life; mark me, I shall fire below the knee." But you know in early practice with the pistol you always fire above the mark; and O'Connell's pistol took effect above the knee, and d'Esterre fell mortally wounded. O'Connell recorded in the face of Europe a vow against further dueling. He settled a pension on the widow of his antagonist; and a dozen years later, when he held ten thousand dollars' worth of briefs in the northern courts, he flung them away, and went to the extreme south to save for her the last acre she owned. After this his sons fought his duels; and when Disraeli, anxious to prove himself a courageous man, challenged O'Connell, he put the challenge in his pocket. Disraeli, to get the full advantage of the matter, sent his letter to the London *Times;* whereupon Maurice O'Connell sent the Jew a message that there was an O'Connell who would fight the duel if he wanted it, but his name was not Daniel. Disraeli did not continue the correspondence.

Thirdly, an Irish leader must not only be a lawyer of great acuteness, but he must have a great reputation for being such. He had to lift three millions of people, and fling them against a government that held in its hand a code which made it illegal for any one of them to move; and they never had moved prior to this that it did not end at the scaffold. For twenty long years O'Connell lifted these three millions of men, and flung them against the British government at every critical moment, and no sheriff ever put his hand on one of his followers; and when late in life the Queen's Bench of Judges, sitting in Dublin, sent him to jail, he stood almost alone in his interpretation of the statutes against the legal talent of the island. He appealed to the House of Lords, and the judges of England confirmed his construction of the law and set him free. Fourthly, an Irish leader must be an orator; he must have the

magic that molds millions of souls into one. Of this I shall have more to say in a moment.

In this mass of Irish ignorance, weakness, and quarrel, one keen eye saw hidden the elements of union and strength. With rarest skill he called them forth, and marshaled them into rank. Then this one man, without birth, wealth, or office, in a land ruled by birth, wealth, and office, molded from those unsuspected elements a power which, overawing king, senate, and people, wrote his single will on the statute-book of the most obstinate nation in Europe. Safely to emancipate the Irish Catholics, and, in spite of Saxon-Protestant hate, to lift all Ireland to the level of British citizenship—this was the problem which statesmanship and patriotism had been seeking for two centuries to solve. For this, blood had been poured out like water. On this, the genius of Swift, the learning of Molyneux, and the eloquence of Bushe, Grattan, and Burke had been wasted. English leaders ever since Fox had studied this problem anxiously. They saw that the safety of the empire was compromised. At one or two critical moments in the reign of George III., one signal from an Irish leader would have snapped the chain that bound Ireland to his throne. His ministers recognized it; and they tried every expedient, exhausted every device, dared every peril, kept oaths or broke them, in order to succeed. All failed; and not only failed, but acknowledged they could see no way in which success could ever be achieved.

O'Connell achieved it. Out of this darkness, he called forth light. Out of this most abject, weak, and pitiable of kingdoms, he made a power; and dying, he left in Parliament a specter which, unless appeased, pushes Whig and Tory ministers alike from their stools.

But Brougham says he was a demagogue. Fie on Wellington, Derby, Peel, Palmerston, Liverpool, Russell, and Brougham, to be fooled and ruled by a demagogue! What must they, the subjects, be, if O'Connell, their king, be only a bigot and a demagogue? A demagogue rides the storm; he has never really the ability to create one. He uses it narrowly, ignorantly, and for selfish ends. If not crushed by the force which, without his will, has flung him into power, he leads it with ridiculous miscalculation against some in-

surmountable obstacle that scatters it forever. Dying, he leaves no mark on the elements with which he has been mixed. Robespierre will serve for an illustration. It took O'Connell thirty years of patient and sagacious labor to mold elements whose existence no man, however wise, had ever discerned before. He used them unselfishly, only to break the yoke of his race. Nearly fifty years have passed since his triumph, but his impress still stands forth clear and sharp on the empire's policy. Ireland is wholly indebted to him for her political education. Responsibility educates; he lifted her to broader responsibilities. Her possession of power makes it the keen interest of other classes to see she is well informed. He associated her with all the reform movements of Great Britain. This is the education of affairs, broader, deeper, and more real than what school or college can give. This and power, his gifts, are the lever which lifts her to every other right and privilege. How much England owes him we can never know; since how great a danger and curse Ireland would have been to the empire, had she continued the cancer Pitt and Castlereagh left her, is a chapter of history which, fortunately, can never be written. No demagogue ever walked through the streets of Dublin, as O'Connell and Grattan did more than once, hooted and mobbed because they opposed themselves to the mad purpose of the people, and crushed it by a stern resistance. No demagogue would have offered himself to a race like the Irish as the apostle of peace, pledging himself to the British government that, in the long agitation before him, with brave millions behind him spoiling for a fight, he would never draw a sword.

I have purposely dwelt long on this view, because the extent and the far-reaching effects of O'Connell's work, without regard to the motives which inspired him or the methods he used, have never been fully recognized.

Briefly stated, he did what the ablest and bravest of his forerunners had tried to do and failed. He created a public opinion and unity of purpose,—no matter what be now the dispute about methods,—which made Ireland a nation; he gave her British citizenship, and a place in the imperial Parliament; he gave her a press and a public: with these tools her destiny is in her own hands.

When the Abolitionists got for the negro schools and the vote, they settled the slave question; for they planted the sure seeds of civil equality. O'Connell did this for Ireland—this which no Irishman before had ever dreamed of attempting. Swift and Molyneux were able. Grattan, Bushe, Saurin, Burrowes, Plunket, Curran, Burke, were eloquent. Throughout the island courage was a drug. They gained now one point, and now another; but, after all, they left the helm of Ireland's destiny in foreign and hostile hands. O'Connell was brave, sagacious, eloquent; but, more than all, he was a statesman, for he gave to Ireland's own keeping the key of her future. As Lord Bacon marches down the centuries, he may lay one hand on the telegraph and the other on the steam-engine, and say, "These are mine, for I taught you how to study Nature." In a similar sense, as shackle after shackle falls from Irish limbs, O'Connell may say, "This victory is mine; for I taught you the method, and I gave you the arms."

I have hitherto been speaking of his ability and success; by and by we will look at his character, motives, and methods. This unique ability even his enemies have been forced to confess. Harriet Martineau, in her incomparable history of the "Thirty Years' Peace," has, with Tory hate, misconstrued every action of O'Connell, and invented a bad motive for each one. But even she confesses that "he rose in power, influence, and notoriety to an eminence such as no other individual citizen has attained in modern times" in Great Britain. And one of his by no means partial biographers has well said:

"Any man who turns over the magazines and newspapers of that period will easily perceive how grandly O'Connell's figure dominated in politics, how completely he had dispelled the indifference that had so long prevailed on Irish questions, how clearly his agitation stands forth as the great fact of the time. . . . The truth is, his position, so far from being a common one, is absolutely unique in history. We may search in vain through the records of the past for any man, who without the effusion of a drop of blood or the advantages of office or rank, succeeded in governing a people so absolutely and so long, and in creating so entirely the elements of his power. . . . There was no rival to his supremacy, there was

no restriction to his authority. He played with the enthusiasm he had aroused, with the negligent ease of a master; he governed the complicated organization he had created with a sagacity that never failed. He made himself the focus of the attention of other lands, and the center around which the rising intellect of his own revolved. He had transformed the whole social system of Ireland; almost reversed the relative positions of Protestants and Catholics; remodeled by his influence the representative, ecclesiastical, and educational institutions, and created a public opinion that surpassed the wildest dreams of his predecessors. Can we wonder at the proud exultation with which he exclaimed, 'Grattan sat by the cradle of his country, and followed her hearse; it was left for me to sound the resurrection trumpet, and to show that she was not dead, but sleeping'?"

But the method by which he achieved his success is perhaps more remarkable than even the success itself. An Irish poet, one of his bitterest assailants thirty years ago, has laid a chaplet of atonement on his altar, and one verse runs:

> O great world-leader of a mighty age!
> Praise unto thee let all the people give.
> By thy great name of LIBERATOR live
> In golden letters upon history's page;
> And this thy epitaph while time shall be,—
> *He found his country chained, but left her free.*

It is natural that Ireland should remember him as her Liberator. But, strange as it may seem to you, I think Europe and America will remember him by a higher title. I said in opening, that the cause of constitutional government is more indebted to O'Connell than to any other political leader of the last two centuries. What I mean is, that he invented the great method of constitutional agitation. Agitator is a title which will last longer, which suggests a broader and more permanent influence, and entitles him to the gratitude of far more millions than the name Ireland loves to give him. The "first great agitator" is his proudest title to gratitude and fame. Agitation is the method that puts the school by the side of the ballot-box. The Frémont canvass was the nation's best school.

Agitation prevents rebellion, keeps the peace, and secures progress. Every step she gains is gained forever. Muskets are the weapons of animals; agitation is the atmosphere of brains. The old Hindoo saw, in his dream, the human race led out to its various fortunes. First, men were in chains which went back to an iron hand; then he saw them led by threads from the brain which went upward to an unseen hand. The first was despotism, iron and ruling by force. The last was civilization, ruling by ideas.

Agitation is an old word with a new meaning. Sir Robert Peel, the first English leader who felt he was its tool, defined it to be "the marshaling of the conscience of a nation to mold its laws." O'Connell was the first to show and use its power, to lay down its principles, to analyze its elements, and mark out its metes and bounds. It is voluntary, public, and above-board,—no oath-bound secret societies like those of old time in Ireland, and of the Continent to-day. Its means are reasons and argument—no appeal to arms. Wait patiently for the slow growth of public opinion.

The Frenchman is angry with his government; he throws up barricades, and shots his guns to the lips. A week's fury drags the nation ahead a hand-breath; reaction lets it settle halfway back again. As Lord Chesterfield said, a hundred years ago, "You Frenchmen erect barricades, but never any barriers." An Englishman is dissatisfied with public affairs. He brings his charges, offers his proofs, waits for prejudice to relax, for public opinion to inform itself. Then every step taken is taken forever; an abuse once removed never reappears in history. Where did he learn this method? Practically speaking, from O'Connell. It was he who planted its corner stone—argument, no violence; no political change is worth a drop of human blood. His other motto was, "Tell the whole truth"; no concealing half of one's convictions to make the other half more acceptable; no denial of one truth to gain hearing for another; no compromise; or, as he phrased it, "Nothing is politically right which is morally wrong."

Above all, plant yourself on the millions. The sympathy of every human being, no matter how ignorant or how humble, adds weight to public opinion. At the outset of his career the clergy turned a deaf ear to his appeal. They had seen their flocks led up to useless

slaughter for centuries, and counseled submission. The nobility repudiated him; they were either traitors or hopeless. Protestants had touched their *Ultima Thule* with Grattan, and seemed settling down in despair. English Catholics advised waiting till the tyrant grew merciful. O'Connell, left alone, said, "I will forge these four millions of Irish hearts into a thunderbolt which shall suffice to dash this despotism to pieces." And he did it. Living under an aristocratic government, himself of the higher class, he anticipated Lincoln's wisdom, and framed his movements "for the people, of the people, and by the people."

It is a singular fact that the freer a nation becomes, the more utterly democratic the form of its institutions, this outside agitation, this pressure of public opinion to direct political action, becomes more and more necessary. The general judgment is that the freest possible government produces the freest possible men and women —the most individual, the least servile to the judgment of others. But a moment's reflection will show any man that this is an unreasonable expectation, and that, on the contrary, entire equality and freedom in political forms almost inevitably tend to make the individual subside into the mass, and lose his identity in the general whole. Suppose we stood in England to-night. There is the nobility, and here is the Church. There is the trading class, and here is the literary. A broad gulf separates the four; and provided a member of either can conciliate his own section, he can afford, in a very large measure, to despise the judgment of the other three. He has, to some extent, a refuge and a breakwater against the tyranny of what we call public opinion. But in a country like ours, of absolute democratic equality, public opinion is not only omnipotent, it is omnipresent. There is no refuge from its tyranny; there is no hiding from its reach; and the result is that, if you take the old Greek lantern, and go about to seek among a hundred, you will find not one single American who really has not, or who does not fancy at least that he has something to gain or lose in his ambition, his social life, or his business, from the good opinion and the votes of those about him. And the consequence is, that,—instead of being a mass of individuals, each one fearlessly blurting out his own convictions,—as a nation, compared with other nations, we are a mass

of cowards. More than any other people, we are afraid of each other.

If you were a caucus to-night, Democratic or Republican, and I were your orator, none of you could get beyond the necessary and timid limitation of party. You not only would not demand, you would not allow me to utter one word of what you really thought, and what I thought. You would demand of me—and my value as a caucus speaker would depend entirely on the adroitness and the vigilance with which I met the demand—that I should not utter one single word which would compromise the vote of next week. That is politics; so with the press. Seemingly independent, and sometimes really so, the press can afford only to mount the cresting wave, not go beyond it. The editor might as well shoot his reader with a bullet as with a new idea. He must hit the exact line of the opinion of the day. I am not finding fault with him; I am only describing him. Some three years ago I took to one of the freest of the Boston journals a letter, and by appropriate consideration induced its editor to print it. And as we glanced along its contents, and came to the concluding statement, he said, "Couldn't you omit that?" I said, "No; I wrote it for that; it is the gist of the statement." "Well," said he, "it is true; there is not a boy in the streets that does not know it is true; but I wish you could omit it."

I insisted; and the next morning, fairly and justly, he printed the whole. Side by side he put an article of his own, in which he said, "We copy in the next column an article from Mr. Phillips, and we only regret the absurd and unfounded statement with which he concludes it." He had kept his promise by printing the article; he saved his reputation by printing the comment. And that, again, is the inevitable, the essential limitation of the press in a republican community. Our institutions, floating unanchored on the shifting surface of popular opinion, cannot afford to hold back, or to draw forward, a hated question, and compel a reluctant public to look at it and to consider it. Hence, as you see at once, the moment a large issue, twenty years ahead of its age, presents itself to the consideration of an empire or of a republic, just in proportion to the freedom of its institutions is the necessity of a platform outside of the press, of politics, and of its Church, whereon stand men

with no candidate to elect, with no plan to carry, with no reputation to stake, with no object but the truth, no purpose but to tear the question open and let the light through it. So much in explanation of a word infinitely hated,—agitation and agitators,—but an element which the progress of modern government has developed more and more every day.

The great invention we trace in its twilight and seed to the days of the Long Parliament. Defoe and L'Estrange, later down, were the first prominent Englishmen to fling pamphlets at the House of Commons. Swift ruled England by pamphlets. Wilberforce summoned the Church, and sought the alliance of influential classes. But O'Connell first showed a profound faith in the human tongue. He descried afar off the coming omnipotence of the press. He called the millions to his side, appreciated the infinite weight of the simple human heart and conscience, and grafted democracy into the British empire. The later Abolitionists—Buxton, Sturge, and Thompson—borrowed his method. Cobden flung it in the face of the almost omnipotent landholders of England, and broke the Tory party forever. They only haunt upper air now in the stolen garments of the Whigs. The English administration recognizes this new partner in the government, and waits to be moved on. Garrison brought the new weapon to our shores. The only wholly useful and thoroughly defensible war Christendom has seen in this century, the greatest civil and social change the English race ever saw, are the result.

This great servant and weapon, peace and constitutional government owe to O'Connell. Who has given progress a greater boon? What single agent has done as much to bless and improve the world for the last fifty years?

O'Connell has been charged with coarse, violent, and intemperate language. The criticism is of little importance. Stupor and palsy never understand life. White-livered indifference is always disgusted and annoyed by earnest conviction. Protestants criticized Luther in the same way. It took three centuries to carry us far off enough to appreciate his colossal proportions. It is a hundred years to-day since O'Connell was born. It will take another hundred to put us at such an angle as will enable us correctly to measure his stature. Premising that it would be folly to find fault with a man

struggling for life because his attitudes were ungraceful, remembering the Scythian King's answer to Alexander, criticizing his strange weapon,—"If you knew how precious freedom was, you would defend it even with axes,"—we must see that O'Connell's own explanation is evidently sincere and true. He found the Irish heart so cowed, and Englishmen so arrogrant, that he saw it needed an independence verging on insolence, a defiance that touched extremest limits, to breathe self-respect into his own race, teach the aggressor manners, and sober him into respectful attention.

It was the same with us Abolitionists. Webster had taught the North the bated breath and crouching of a slave. It needed with us an attitude of independence that was almost insolent, it needed that we should exhaust even the Saxon vocabulary of scorn, to fitly utter the righteous and haughty contempt that honest men had for man-stealers. Only in that way could we wake the North to self-respect, or teach the South that at length she had met her equal, if not her master. On a broad canvas, meant for the public square, the tiny lines of a Dutch interior would be invisible. In no other circumstances was the French maxim, "You can never make a revolution with rose-water," more profoundly true. The world has hardly yet learned how deep a philosophy lies hid in Hamlet's

> Nay, and thou'lt mouth,
> I'll rant as well as thou.

O'Connell has been charged with insincerity in urging repeal, and those who defended his sincerity have leaned toward allowing that it proved his lack of common sense. I think both critics mistaken. His earliest speeches point to repeal as his ultimate object; indeed, he valued emancipation largely as a means to that end. No fair view of his whole life will leave the slightest ground to doubt his sincerity. As for the reasonableness and necessity of the measure, I think every year proves them. Considering O'Connell's position, I wholly sympathize in his profound and unshaken loyalty to the empire. Its share in the British empire makes Ireland's strength and importance. Standing alone among the vast and massive sovereignties of Europe, she would be weak, insignificant, and helpless. Were I an Irishman I should cling to the empire.

Fifty or sixty years hence, when scorn of race has vanished, and bigotry is lessened, it may be possible for Ireland to be safe and free while holding the position to England that Scotland does. But during this generation and the next, O'Connell was wise in claiming that Ireland's rights would never be safe without "home rule." A substantial repeal of the union should be every Irishman's earnest aim. Were I their adviser, I should constantly repeat what Grattan said in 1810, "The best advice, gentlemen, I can give on all occasions is, 'Keep knocking at the union.' "

We imagine an Irishman to be only a zealot on fire. We fancy Irish spirit and eloquence to be only blind, reckless, headlong enthusiasm. But, in truth, Grattan was the soberest leader of his day, holding scrupulously back the disorderly elements, which fretted under his curb. There was one hour, at least, when a word from him would have lighted a democratic revolt throughout the empire. And the most remarkable of O'Connell's gifts was neither his eloquence nor his sagacity: it was his patience—"patience, all the passion of great souls"; the tireless patience which, from 1800 to 1820, went from town to town, little aided by the press, to plant the seeds of an intelligent and united, as well as hot patriotism. Then, after many years and long toil, waiting for rivals to be just, for prejudice to wear out, and for narrowness to grow wise, using British folly and oppression as his wand, he molded the enthusiasm of the most excitable of races, the just and inevitable indignation of four millions of Catholics, the hate of plundered poverty, priest, noble, and peasant, into one fierce though harmonious mass. He held it in careful check, with sober moderation, watching every opportunity, attracting ally after ally, never forfeiting any possible friendship, allowing no provocation to stir him to anything that would not help his cause, compelling each hottest and most ignorant of his followers to remember that "he who commits a crime helps the enemy." At last, when the hour struck, this power was made to achieve justice for itself, and put him in London,—him, this despised Irishman, this hated Catholic, this mere demagogue and man of words, *him*,—to hold the Tory party in one hand, and the Whig party in the other; all this without shedding a drop of blood, or disturbing for a moment the peace of the empire.

While O'Connell held Ireland in his hand, her people were more orderly, law-abiding, and peaceful than for a century before, or during any year since. The strength of this marvelous control passes comprehension. Out West I met an Irishman whose father held him up to see O'Connell address the two hundred thousand men at Tara —literally to *see*, not to hear him. I said, "But you could not all hear even his voice." "Oh, no, sir! Only about thirty thousand could hear him; but we all kept as still and silent as if we did." With magnanimous frankness O'Connell once said, "I never could have held those monster meetings without a crime, without disorder, tumult, or quarrel, except for Father Mathew's aid." Any man can build a furnace, and turn water into steam—yes, if careless, make it rend his dwelling in pieces. Genius builds the locomotive, harnesses this terrible power in iron traces, holds it with master hand in useful limits, and gives it to the peaceable service of man. The Irish people were O'Connell's locomotive; sagacious patience and moderation the genius that built it; Parliament and justice the station he reached.

Everyone who has studied O'Connell's life sees his marked likeness to Luther—the unity of both their lives; their wit; the same massive strength, even if coarse-grained; the ease with which each reached the masses, the power with which they wielded them; the same unrivaled eloquence, fit for any audience; the same instinct of genius that led them constantly to acts which, as Voltaire said, "Foolish men call rash, but wisdom sees to be brave"; the same broad success. But O'Connell had one great element which Luther lacked—the universality of his sympathy; the far-reaching sagacity which discerned truth afar off, just struggling above the horizon; the loyal, brave, and frank spirit which acknowledged and served it; the profound and rare faith which believed that "the whole truth can never do harm to the whole of virtue." From the serene height of intellect and judgment to which God's gifts had lifted him, he saw clearly that no one right was ever in the way of another, that injustice harms the wrong-doer even more than the victim, that whoever puts a chain on another fastens it also on himself. Serenely confident that the truth is always safe, and justice always expedient, he saw that intolerance is only want of faith. He who

stifles free discussion secretly doubts whether what he professes to believe is really true. Coleridge says, "See how triumphant in debate and notion O'Connell is! Why? Because he asserts a broad principle, acts up to it, rests his body on it, and has faith in it."

Coworker with Father Mathew; champion of the Dissenters; advocating the substantial principles of the Charter, though not a Chartist; foe of the corn-laws; battling against slavery, whether in India or the Carolinas; the great democrat who in Europe seventy years ago called the people to his side; starting a movement of the people, for the people, by the people—show me another record as broad and brave as this in the European history of our century. Where is the English statesman, where the Irish leader, who can claim one? No wonder every Englishman hated and feared him! He wounded their prejudices at every point. Whig and Tory, timid Liberal, narrow Dissenter, bitter Radical—all feared and hated this broad brave soul, who dared to follow the Truth wherever he saw her, whose toleration was as broad as human nature, and his sympathy as boundless as the sea.

To show you that he never took a leaf from our American gospel of compromise; that he never filed his tongue to silence on one truth fancying so to help another; that he never sacrificed any race to save even Ireland—let me compare him with Kossuth, whose only merits were his eloquence and his patriotism. When Kossuth was in Faneuil Hall, he exclaimed, "Here is a flag without a stain, a nation without a crime!" We Abolitionists appealed to him, "O eloquent son of the Magyar, come to break chains! have you no word, no pulse-beat, for the four millions of negroes bending under a yoke ten times heavier than that of Hungary?" He answered, "I would forget anybody, I would praise anything, to help Hungary."

O'Connell never said anything like that. When I was in Naples, I asked Sir Thomas Fowell Buxton, a Tory, "Is O'Connell an honest man?" "As honest a man as ever breathed," said he, and then told me this story: "When, in 1830, O'Connell entered Parliament, the anti-slavery cause was so weak that it had only Lushington and myself to speak for it; and we agreed that when he spoke I should cheer him, and when I spoke he should cheer me; and these were the only cheers we ever got. O'Connell came, with one Irish member

to support him. A large number of members [I think Buxton said twenty-seven] whom we called the West-India interest, the Bristol party, the slave party, went to him, saying, 'O'Connell, at last you are in the House, with one helper. If you will never go down to Freemasons' Hall with Buxton and Brougham, here are twenty-seven votes for you on every Irish question. If you work with those Abolitionists, count us always against you.'"

It was a terrible temptation. How many a so-called statesman would have yielded! O'Connell said, "Gentlemen, God knows I speak for the saddest people the sun sees; but may my right hand forget its cunning, and my tongue cleave to the roof of my mouth, if to save Ireland, even Ireland, I forget the negro one single hour!" "From that day," said Buxton, "Lushington and I never went into the lobby that O'Connell did not follow us."

Some years afterward I went into Conciliation Hall, where O'Connell was arguing for repeal. He lifted from the table a thousand-pound note sent them from New Orleans, and said to be from the slave-holders of that city. Coming to the front of the platform he said: "This is a draft of one thousand pounds from the slave-holders of New Orleans, the unpaid wages of the negro. Mr. Treasurer, I suppose the treasury is empty?" The treasurer nodded to show that it was, and he went on: "Old Ireland is very poor; but thank God she is not poor enough to take the unpaid wages of anybody. Send it back." A gentleman from Boston went to him with a letter of introduction which he sent up to him at his house in Merrion Square. O'Connell came down to the door, as was his wont, put out both his hands, and drew him into his library. "I am glad to see you," said he; "I am always glad to see anybody from Massachusetts, a free State." "But," said the guest, "this is slavery you allude to, Mr. O'Connell. I would like to say a word to you in justification of that institution." "Very well, sir—free speech in this house; say anything you please. But before you begin to defend a man's right to own his own brother, allow me to step out and lock up my spoons."

That was the man. The ocean of his philanthropy knew no shore.

And right in this connection, let me read the following dispatch:

CINCINNATI, O., August 6.

WENDELL PHILLIPS, BOSTON:

The national conference of colored newspaper-men to the O'Connell Celebration, greeting:

*Resolved*, That it is befitting a convention of colored men assembled on the centennial anniversary of the birth of the liberator of Ireland and friend of humanity, Daniel O'Connell, to recall with gratitude his eloquent and effective pleas for the freedom of our race; and we earnestly commend his example to our countrymen.

J. C. JACKSON, *Secretary.*
PETER H. CLARK, *President.*
GEORGE T. RUBY.
LEWIS D. EASTON.

Learn of him, friends, the hardest lesson we ever have set us—that of toleration. The foremost Catholic of his age, the most stalwart champion of the Church, he was also broadly and sincerely tolerant of every faith. His toleration had no limit and no qualification.

I scorn and scout the word "toleration"; it is an insolent term. No man, properly speaking, tolerates another. I do not tolerate a Catholic, neither does he tolerate me. We are equal, and acknowledge each other's right; that is the correct statement.

That every man should be allowed freely to worship God according to his conscience, that no man's civil rights should be affected by his religious creed, were both cardinal principles of O'Connell. He had no fear that any doctrine of his faith could be endangered by the freest possible discussion.

Learn of him, also sympathy with every race and every form of oppression. No matter who was the sufferer, or what the form of injustice—starving Yorkshire peasant, imprisoned Chartist, persecuted Protestant, or negro slave; no matter of what right, personal or civil, the victim had been robbed; no matter what religious pretext or political juggle alleged "necessity" as an excuse for his oppression; no matter with what solemnities he had been devoted on the altar of slavery,—the moment O'Connell saw him, the altar and the god sank together in the dust, the victim was acknowledged a man and a brother, equal in all rights, and entitled to all the aid the great Irishman could give him.

I have no time to speak of his marvelous success at the bar; of that profound skill in the law which enabled him to conduct such an agitation, always on the verge of illegality and violence, without once subjecting himself or his followers to legal penalty—an agitation under a code of which Brougham said, "No Catholic could lift his hand under it without breaking the law." I have no time to speak of his still more remarkable success in the House of Commons. Of Flood's failure there Grattan had said, "He was an oak of the forest, too old and too great to be transplanted at fifty." Grattan's own success there was but moderate. The power O'Connell wielded against varied, bitter, and unscrupulous opposition was marvelous. I have no time to speak of his personal independence, his deliberate courage, moral and physical, his unspotted private character, his unfailing hope, the versatility of his talent, his power of tireless work, his ingenuity and boundless resource, his matchless self-possession in every emergency, his ready and inexhaustible wit; but any reference to O'Connell that omitted his eloquence would be painting Wellington in the House of Lords without mention of Torres Vedras or Waterloo.

Broadly considered, his eloquence has never been equaled in modern times, certainly not in English speech. Do you think I am partial? I will vouch John Randolph of Roanoke, the Virginia slave-holder, who hated an Irishman almost as much as he hated a Yankee, himself an orator of no mean level. Hearing O'Connell, he exclaimed, "This is the man, these are the lips, the most eloquent that speak English in my day." I think he was right. I remember the solemnity of Webster, the grace of Everett, the rhetoric of Choate; I know the eloquence that lay hid in the iron logic of Calhoun; I have melted beneath the magnetism of Seargeant S. Prentiss of Mississippi, who wielded a power few men ever had. It has been my fortune to sit at the feet of the great speakers of the English tongue on the other side of the ocean. But I think all of them together never surpassed, and no one of them ever equaled O'Connell. Nature intended him for our Demosthenes. Never since the great Greek has she sent forth anyone so lavishly gifted for his work as a tribune of the people. In the first place, he had a magnificent presence, impressive in bearing, massive like that of Jupiter.

Webster himself hardly outdid him in the majesty of his proportions. To be sure, he had not Webster's craggy face, and precipice of brow, nor his eyes glowing like anthracite coal; nor had he the lion roar of Mirabeau. But his presence filled the eye. A small O'Connell would hardly have been an O'Connell at all. These physical advantages are half the battle.

I remember Russell Lowell telling us that Mr. Webster came home from Washington at the time the Whig party thought of dissolution a year or two before his death, and went down to Faneuil Hall to protest; drawing himself up to his loftiest proportion, his brow clothed with thunder, before the listening thousands, he said, "Well, gentlemen, I am a Whig, a Massachusetts Whig, a Faneuil-Hall Whig, a revolutionary Whig, a constitutional Whig. If you break the Whig party, sir, where am I to go?" And says Lowell, "We held our breath, thinking where he *could* go. If he had been five feet three, we should have said, 'Who cares where you go?" So it was with O'Connell. There was something majestic in his presence before he spoke; and he added to it what Webster had not, what Clay might have lent—infinite grace, that magnetism that melts all hearts into one. I saw him at over sixty-six years of age; every attitude was beauty, every gesture grace. You could only think of a greyhound as you looked at him; it would have been delicious to have watched him, if he had not spoken a word. Then he had a voice that covered the gamut. The majesty of his indignation, fitly uttered in tones of superhuman power, made him able to "indict" a nation, in spite of Burke's protest.

I heard him once say, "I send my voice across the Atlantic, careering like the thunderstorm against the breeze, to tell the slaveholder of the Carolinas that God's thunderbolts are hot, and to remind the bondman that the dawn of his redemption is already breaking." You seemed to hear the tones come echoing back to London from the Rocky Mountains. Then, with the slightest possible Irish brogue, he would tell a story, while all Exeter Hall shook with laughter. The next moment, tears in his voice like a Scotch song, five thousand men wept. And all the while no effort. He seemed only breathing.

As effortless as woodland nooks
Send violets up, and paint them blue.

We used to say of Webster, "This is a great effort"; of Everett, "It is a beautiful effort"; but you never used the word "effort" in speaking of O'Connell. It provoked you that he would not make an effort. I heard him perhaps a score of times, and I do not think more than three times he ever lifted himself to the full sweep of his power.

And this wonderful power, it was not a thunderstorm: he flanked you with his wit, he surprised you out of yourself; you were conquered before you knew it. He was once summoned to court out of the hunting-field, when a young friend of his of humble birth was on trial for his life. The evidence gathered around a hat found by the body of the murdered man, which was recognized as the hat of the prisoner. The lawyers tried to break down the evidence, confuse the testimony, and get some relief from the directness of the circumstances; but in vain, until at last they called for O'Connell. He came in, flung his riding-whip and hat on the table, was told the circumstances, and taking up the hat said to the witness, "Whose hat is this?" "Well, Mr. O'Connell, that is Mike's hat." "How do you know it?" "I will swear to it, sir." "And did you really find it by the murdered man?" "I did that, sir." "But you're not ready to swear that?" "I am, indeed, Mr. O'Connell." "Pat, do you know what hangs on your word? A human soul. And with that dread burden, are you ready to tell this jury that the hat, to your certain knowledge, belongs to the prisoner?" "Y-yes, Mr. O'Connell; yes, I am."

O'Connell takes the hat to the nearest window, and peers into it —"J-a-m-e-s, James. Now, Pat, did you see that name in the hat?" "I did, Mr. O'Connell." "You knew it was there?" "Yes, sir; I read it after I picked it up." "*No name in the hat, your Honor.*"

So again in the House of Commons. When he took his seat in the House of 1830, the London *Times* visited him with its constant indignation, reported his speeches awry, turned them inside out, and made nonsense of them; treated him as the New York *Herald* used to treat us Abolitionists twenty years ago. So one morning he rose and said, "Mr. Speaker, you know I have never opened my

lips in this house, and I expended twenty years of hard work in getting the right to enter it—I have never lifted my voice in this House, but in behalf of the saddest people the sun shines on. Is it fair play, Mr. Speaker, is it what you call 'English fair play,' that the press of this city will not let my voice be heard?" The next day the *Times* sent him word that, as he found fault with their manner of reporting him, they never would report him at all, they never would print his name in their parliamentary columns. So the next day when prayers were ended, O'Connell rose. Those reporters of the *Times* who were in the gallery rose also, ostentatiously put away their pencils, folded their arms, and made all the show they could, to let everybody know how it was. Well, you know, nobody has any right to be in the gallery during the session, and if any member notices them, the mere notice clears the gallery, only the reporters can stay after that notice. O'Connell rose. One of the members said, "Before the member from Clare opens his speech, let me call his attention to the gallery and the instance of that 'passive resistance' which he is about to preach." "Thank you," said O'Connell: "Mr. Speaker, I observe strangers in the gallery." Of course they left; of course the next day, in the columns of the London *Times,* there were no parliamentary debates. And for the first time, except in Richard Cobden's case the London *Times* cried for quarter, and said to O'Connell, "If you give up the quarrel, we will."

Later on, when he was advocating the repeal of the land law, when forty or fifty thousand people were gathered at the meeting, O'Connell was sitting at the breakfast-table. The London *Times* for that year had absolutely disgraced itself,—and that is saying a great deal,—and its reporters, if recognized, would have been torn to pieces. So, as O'Connell was breakfasting, the door opened, and two or three English reporters—Gurney and, among others, our well-known friend Russell, of Bull Run notoriety—entered the room and said, "Mr. O'Connell, we are the reporters of the *Times*." "And," said Russell, "we dared not enter that crowd."

"Shouldn't think you would," replied O'Connell. "Have you had any breakfast?"

"No, sir," said he; "we hardly dared to ask for any."

"Shouldn't think you would," answered O'Connell; "sit down here." So they shared his breakfast. Then he took Bull Run in his own carriage to the place of meeting, sent for a table and seated him by the platform, and asked him whether he had his pencils well sharpened and had plenty of paper, as he intended to make a long speech. Bull Run answered, "Yes." And O'Connell stood up, and addressed the audience *in Irish.*

His marvelous voice, its almost incredible power and sweetness, Bulwer has well described:

> Once to my sight that giant form was given,
> Walled by wide air, and roofed by boundless heaven.
> Beneath his feet the human ocean lay,
> And wave on wave rolled into space away.
> Methought no clarion could have sent its sound
> Even to the center of the hosts around;
> And, as I thought, rose the sonorous swell,
> As from some church-tower swings the silver bell.
> Aloft and clear, from airy tide to tide
> It glided, easy as a bird may glide;
> Even to the verge of that vast audience sent,
> It played with each wild passion as it went,—
> Now stirred the uproar, now the murmur stilled,
> And sobs or laughter answered as it willed.

Webster could awe a senate, Everett could charm a college, and Choate could cheat a jury; Clay could magnetize the million, and Corwin led them captive. O'Connell was Clay, Corwin, Choate, Everett, and Webster in one. Before the courts, logic; at the bar of the senate, unanswerable and dignified; on the platform, grace, wit, pathos; before the masses, a whole man. Carlyle says, "He is God's own anointed king whose single word melts all wills into his." This describes O'Connell. Emerson says, "There is no true eloquence, unless there is a man behind the speech." Daniel O'Connell was listened to because all England and all Ireland knew that there was a man behind the speech—one who could be neither bought, bullied, nor cheated. He held the masses free but willing subjects in his hand.

He owed this power to the courage that met every new question frankly, and concealed none of his convictions; to an entireness of

devotion that made the people feel he was all their own; to a masterly brain that made them sure they were always safe in his hands. Behind them were ages of bloodshed: every rising had ended at the scaffold; even Grattan brought them to 1798. O'Connell said, "Follow me: put your feet where mine have trod, and a sheriff shall never lay hand on your shoulder." And the great lawyer kept his pledge.

This unmatched, long-continued power almost passes belief. You can only appreciate it by comparison. Let me carry you back to the mob-year of 1835, in this country, when the Abolitionists were hunted; when the streets roared with riot; when from Boston to Baltimore, from St. Louis to Philadelphia, a mob took possession of every city; when private houses were invaded and public halls were burned; press after press was thrown into the river; and Lovejoy baptized freedom with his blood. You remember it. Respectable journals warned the mob that they were playing into the hands of the Abolitionists. Webster and Clay and the staff of Whig statesmen told the people that the truth floated farther on the shouts of the mob than the most eloquent lips could carry it. But law-abiding, Protestant, educated America could not be held back. Neither Whig chief nor respectable journals could keep these people quiet. Go to England. When the Reform Bill of 1831 was thrown out from the House of Lords, the people were tumultuous; and Melbourne and Grey, Russell and Brougham, Lansdowne, Holland, and Macaulay, the Whig chiefs, cried out, "Don't violate the law: you help the Tories! Riots put back the bill." But quiet, sober John Bull, law-abiding, could not do without it. Birmingham was three days in the hands of a mob; castles were burned; Wellington ordered the Scots Greys to rough-grind their swords as at Waterloo. This was the Whig aristocracy of England. O'Connell had neither office nor title. Behind him were three million people steeped in utter wretchedness, sore with the oppression of centuries, ignored by statute.

For thirty restless and turbulent years he stood in front of them, and said, "Remember, he that commits a crime helps the enemy." And during that long and fearful struggle, I do not remember one of his followers ever being convicted of a political offense, and

during this period crimes of violence were very rare. There is no such record in our history. Neither in classic nor in modern times can the man be produced who held a million of people in his right hand so passive. It was due to the consistency and unity of a character that had hardly a flaw. I do not forget your soldiers, orators, or poets—any of your leaders. But when I consider O'Connell's personal disinterestedness,—his rare, brave fidelity to every cause his principles covered, no matter how unpopular, or how embarrassing to his main purpose,—that clear, far-reaching vision, and true heart which, on most moral and political questions, set him so much ahead of his times; his eloquence, almost equally effective in the courts, in the senate, and before the masses; that sagacity which set at naught the malignant vigilance of the whole imperial bar, watching thirty years for a misstep; when I remember that he invented his tools, and then measure his limited means with his vast success, bearing in mind its nature; when I see the sobriety and moderation with which he used his measureless power, and the lofty, generous purpose of his whole life,—I am ready to affirm that he was, all things considered, the greatest man the Irish race ever produced.

## III. EULOGY AT HIS BROTHER'S GRAVE

### ROBERT G. INGERSOLL

*Speaker:* (1833–1899) American lawyer, author and orator; like Wendell Phillips, he belongs to the select coterie of supremely gifted American orators; famed as an agnostic writer and speaker.

*Occasion:* Read at the funeral of Ebon C. Ingersoll, Washington, D. C., June 2, 1879. Since an avowed agnostic and opponent of the Christian religion as Robert G. Ingersoll could not well call upon a minister to conduct funeral services, the two brothers made a compact that, at the death of either one of them, the other would give the funeral address. Since Robert G. was the elder, this would normally have fallen to Ebon C., save for the latter's unexpected death in middle life. It was only with great difficulty and one or two grief-stricken interruptions that the elder brother was able to complete his reading of the short address.

*Audience:* A few close friends of the two brothers.

In addition to representing a wholly personal type of eulogy, this speech is justly famous for its pictorial imagery of style.
(From the copy as written out previous to its delivery.)

My Friends: I am going to do that which the dead often promised he would do for me. The loved and loving brother, husband, father, friend died where manhood's morning almost touches noon, and while the shadows still were falling toward the west. He had not passed on life's highway the stone that marks the highest point, but being weary for the moment he laid down by the wayside, and, using a burden for a pillow, fell into that dreamless sleep that kisses down his eyelids still. While yet in love with life and raptured with the world, he passed to silence and pathetic dust. Yet, after all, it may be best, just in the happiest, sunniest hour of all the voyage, while eager winds are kissing every sail, to dash against the unseen rock, and in an instant hear the billows roar, a sunken ship. For whether in mid sea or among the breakers of the farther shore, a wreck must mark at last the end of each and all. And every life, no matter if its every hour is rich with love and every moment jeweled with a joy, will, to its close, become a tragedy, as sad, and deep, and dark as can be woven of the warp and woof of mystery and death. This brave and tender man in every storm of life was oak and rock, but in the sunshine he was love and flower. He was the friend of all heroic souls that climbed the heights and left all superstitions here below, while on his forehead fell the golden dawning of a grander day. He loved the beautiful, and was with color, form and music touched to tears. He sided with the weak, and with a willing hand gave alms; with loyal heart and with the purest hand he faithfully discharged all public trusts. He was a worshiper of liberty and a friend of the oppressed. A thousand times I have heard him quote the words: "For justice, all place a temple and all season summer." He believed that happiness was the only good, reason the only torch, justice the only worshiper, humanity the only religion and love the priest. He added to the sum of human joy, and were everyone for whom he did some loving service to bring a blossom to his grave he would sleep to-night beneath a wilderness of flowers. Life is a narrow vale between the cold and barren peaks of two eternities. We strive in vain to look

beyond the heights. We cry aloud, and the only answer is the echo of a wailing cry. From the voiceless lips of the unreplying dead there comes no word; but in the night of death hope sees a star and listening love can hear the rustle of a wing. He who sleeps here, when dying, mistaking the approach of death for the return of health, whispered with his latest breath, "I am better now." Let us believe, in spite of doubts and dogmas and tears and fears, that these dear words are true of all the countless dead. And now, to you who have been chosen from among the many men he loved to do the last sad office for the dead, we give his sacred trust. Speech cannot contain our love. There was—there is—no gentler, stronger, manlier man.

## 5. *Nominating*

### I and II. NOMINATION OF OPPOSING CANDIDATES FOR SPEAKER OF THE HOUSE OF REPRESENTATIVES

HORACE M. TOWNER and WILLIAM W. RUCKER

*Speakers:* Congressman Towner, Republican, from Iowa. Congressman Rucker, Democrat, from Missouri.

*Occasion:* Election of a Speaker on the opening day of the first session of the 66th Congress, May 19, 1919.

*Audience:* Members of the House with the Republican Party holding the majority. The previous Houses for eight years had been Democratic with Champ Clark holding the Speakership.

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The two following speeches may fairly be said to represent the long and short of the usual informal nominating speech.
(From the stenographic report.)

MR. TOWNER: Mr. Clerk, I am authorized by the unanimous action of the Republican conference to place in nomination for Speaker of the House of Representatives for the Sixty-sixth Congress, Mr. Frederick Huntington Gillett, of Massachusetts. [*Applause.*]

THE CLERK: Are there any further nominations?

MR. RUCKER: Mr. Clerk, I have always been frank with the House, and I am going to be frank with it now. If it were possible, I would like to postpone the election of Speaker for about two years, to give time and opportunity to some of our boys who have remained at home to get here. [*Applause and laughter.*] I see many new faces over there on the Republican side, and I fear they, like the lean and hungry Cassius, are dangerous to Democratic success in this contest.

Mr. Clerk, this is an important function we are called upon to perform—the election of a Speaker for the Sixty-sixth Congress. The office of Speaker is a high, important, and responsible position. I have inquired diligently among the gentlemen sitting on this side of the aisle, and I learn that the distinguished gentleman whose name was just presented by the gentleman from Iowa [Mr. Towner] is a man of unimpeachable character, of great learning, long experience, a man who has proven good and true in every capacity in which he has been tried. The Congressional Record which I have read recites his splendid achievements and fully justifies the high esteem in which his friends on this side of the House hold him. [*Applause on the Republican side.*] I am very glad to hear that applause. The Congressional Record also shows that the distinguished gentleman whose name I shall present has time and time again received the unqualified approval of every man upon the Republican side. [*Applause.*] You have said that he is a brave man, a learned man, an impartial man, just such a man as should preside over this House in this day of harmony and good will, and now I am going to put to the test my good friends on that side, and, notwithstanding the unavoidable absence for two years of many gentlemen who sincerely desired to be here, I am going to ask this House to reëlect to the office which he has so well filled so long, and in which he has served his country with such distinguished ability, that great American citizen, Champ Clark, of Missouri. [*Applause.*]

(The votes following stood 228 for Mr. Gillett and 172 for Mr. Clark.)

## III. NOMINATION OF JAMES G. BLAINE FOR PRESIDENT

### ROBERT G. INGERSOLL

*Speaker:* (See p. 400.)

*Occasion:* Republican National Convention, Cincinnati, June 15, 1876. This convention met only a few days following the debate in Congress over grave charges of corruption against Blaine. The allusion of Ingersoll to having a "certificate of character signed by a Confederate Congress," refers to this charge in an effort to give it a political odor, since the House was under Democratic control.

*Audience:* Delegates of the Convention; press representatives.

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This represents a nominating speech upon a state occasion, before a great psychological crowd, where excitement and enthusiasm run high. It will be seen that Ingersoll matched the mood of the crowd by pulling out all of the stops in the organ of political rhetoric and sounding forth in the fortissimo, and only with superlatives,—with the result that the speech was perhaps more favorably received than any nominating speech ever given at a national political convention.

Massachusetts may be satisfied with the loyalty of Benjamin H. Bristow; so am I; but if any man nominated by this convention cannot carry the State of Massachusetts, I am not satisfied with the loyalty of that State. If the nominee of this convention cannot carry the grand old Commonwealth of Massachusetts by seventy-five thousand majority, I would advise them to sell out Faneuil Hall as a Democratic headquarters. I would advise them to take from Bunker Hill that old monument of glory.

The Republicans of the United States demand as their leader in the great contest of 1876 a man of intelligence, a man of integrity, a man of well-known and approved political opinions. They demand a statesman; they demand a reformer after, as well as before, the election. They demand a politician in the highest, broadest, and best sense—a man of superb moral courage. They demand a man acquainted with public affairs—with the wants of the people—with not only the requirements of the hour, but with the demands of the future. They demand a man broad enough to comprehend

the relations of this government to the other nations of the earth. They demand a man well versed in the powers, duties, and prerogatives of each and every department of this Government. They demand a man who will sacredly preserve the financial honor of the United States—one who knows enough to know that the national debt must be paid through the prosperity of this people; one who knows enough to know that all the financial theories in the world cannot redeem a single dollar; one who knows enough to know that all the money must be made, not by law, but by labor; one who knows enough to know that the people of the United States have the industry to make the money and the honor to pay it over just as fast as they make it.

The Republicans of the United States demand a man who knows that prosperity and resumption, when they come, must come together; that when they come they will come hand in hand through the golden harvest fields; hand in hand by the whirling spindles and turning wheels; hand in hand past the open furnace doors; hand in hand by the flaming forges; hand in hand by the chimneys filled with eager fire—greeted and grasped by the countless sons of toil.

This money has to be dug out of the earth. You cannot make it by passing resolutions in a political convention.

The Republicans of the United States want a man who knows that this Government should protect every citizen at home and abroad; who knows that any government that will not defend its defenders and protect its protectors is a disgrace to the map of the world. They demand a man who believes in the eternal separation and divorcement of church and school. They demand a man whose political reputation is spotless as a star; but they do not demand that their candidate shall have a certificate of moral character signed by a Confederate Congress. The man who has in full, heaped and rounded measure, all these splendid qualifications is the present grand and gallant leader of the Republican party—James G. Blaine.

Our country, crowned with the vast and marvelous achievements of its first century, asks for a man worthy of the past and prophetic of her future; asks for a man who has the audacity of genius; asks

for a man who is the grandest combination of heart, conscience, and brain beneath her flag. Such a man is James G. Blaine.

For the Republican host, led by this intrepid man, there can be no defeat.

This a grand year; a year filled with the recollections of the Revolution, filled with proud and tender memories of the past, with the sacred legends of liberty; a year in which the sons of freedom will drink from the fountains of enthusiasm; a year in which the people call for a man who has preserved in Congress what our soldiers won upon the field; a year in which we call for the man who has torn from the throat of treason the tongue of slander—for the man who has snatched the mask of Democracy from the hideous face of Rebellion—for the man who, like an intellectual athlete, has stood in the arena of debate and challenged all comers, and who, up to the present moment, is a total stranger to defeat.

Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress and threw his shining lance full and fair against the brazen foreheads of the defamers of his country and the maligners of his honor. For the Republicans to desert this gallant leader now is as though an army should desert their General upon the field of battle.

James G. Blaine is now, and has been for years, the bearer of the sacred standard of the Republican party. I call it sacred, because no human being can stand beneath its folds without becoming and without remaining free.

Gentlemen of the convention, in the name of the great republic, the only republic that ever existed upon this earth; in the name of all her defenders and of all her supporters; in the name of all her soldiers living; in the name of all her soldiers dead upon the field of battle; and in the name of those who perished in the skeleton clutch of famine at Andersonville and Libby, whose sufferings he so vividly remembers, Illinois—Illinois nominates for the next President of this country that prince of parliamentarians, that leader of leaders, James G. Blaine.

# IV. EXPOSITORY LECTURE

## I. INHERITANCE TAX

### ROE FULKERSON

*Speaker:* Lecturer and humorist; editorial writer for Kiwanis and Shrine Magazines; author of *Andrew and Imogene, The Hotel Stenographer, The Old Groceryman, Sunday Morning Breakfast,* etc.

*Occasion:* Annual Fulkerson lecture, Kiwanis International Convention, Montreal, June 8, 1926.

*Audience:* Members of Kiwanis International, and wives of members, assembled in a huge convention where, as always in such huge audiences, serious ideas need to be salted and peppered with humor and pictorial vividness.

Perhaps the most notable figure that has ornamented the legislative halls of my own City of Washington, D. C., was Sam Houston, the man after whom the city from which Frank Smith comes, was named. Sam Houston first came into fame in this country as the governor of my native State of Tennessee. He had a quarrel with his wife while he was governor, walked out of the gubernatorial mansion, walked out of the City of Nashville, and out of the State of Tennessee, to join a tribe of savage Indians, seeking peace from his domestic troubles.

He next came into prominence as one of the leading fighters for Texas, when she seceded from Mexico; was the first president of that republic, and afterwards a United States Senator from there. Sam was lacking in some of the little social amenities. While in Washington, he was invited to a very formal dinner, and sat near the head of the table talking to his hostess, when the dessert came on. In those wicked days down in the States, they had all sorts of nice things to drink, as well as to eat. This dessert was plum pudding, and flaming as plum pudding used to be. Sam was very busy looking into this woman's beautiful face, and, taking up a spoonful of the flaming dessert, put it into his mouth, and from there dropped

it into his hand, and from his hand back into his plate, horrified. Everyone at the table saw him, he turned and said to his hostess, "Madam, some darn fools might have swallowed that."

I do not expect you to swallow the very nice introduction that my good friend John Moss has given me. I am only going to talk to you for just a few moments on, perhaps, a bit of a different phase of inheritance tax from that which John had in his mind.

If there were such a thing as an inspiration for the talk I am about to give you it came from a nightmare I had in Janesville, Wisconsin, last year. I woke up in the middle of the night with one of those frightful dreams, which most of you have had, of falling, falling, falling through space almost eternally. And when I did finally wake up, which always happens before you strike the ground—I found that I was clutching madly onto one of the uprights of the bed in which I slept. How many of you sleep holding onto one of the uprights of your bed? How many of you have had that nightmare? Students tell us that it is the inheritance tax, from our arboreal ancestors. Our great grandmamas used to teach us when we were little things that if we let loose of that limb while we were asleep and fell down there on the ground, that the saber-toothed tiger would get us. We have inherited that from our arboreal ancestors, that nightmare and that disposition to clutch onto something while we are asleep.

How many of you have noticed that when little children go along the street they never walk on the sidewalk if there is anything higher on which they can walk? They keep along the edge of a wall. If there is a row of sewer pipes they are always up on top of the sewer pipes. How many of you ever noticed that when they walk along the sidewalk they never step on a crack, but step very carefully over that? The primitive instincts in a child are more highly developed than they are in a grown person. That is a part of our inheritance tax, from a little later stage among our ancestors. When our great grandmama who lived in a cave, after she came down from a tree, took her little children and went down to the beach to dig clams she taught them wherever there was a trunk of a fallen tree, to walk on that so that the snakes would not bite them and the animals out of the grass would not get them. She taught them

also when they stepped on stones to be sure always to step in the middle, so the stone would not rock and throw them into the brush where something might get them. That disposition of our children is a part of our inheritance tax from our cave-dwelling ancestors.

Hopping over a century or two, because what is a century or two among friends, we come down to the feudal baron days when every man was not only a workman in the fields of the feudal baron under whom he served, but he was also one of his soldiers. Soldiers in those days fought with a great long pole with a snickersnee on the end of it. They called it a pike. And when they marched out to fight the neighboring feudal baron they carried these pikes in a socket in front of them, so that they would not get all tangled up. This socket was a leather thing like you see a man carry a flag in nowadays in a parade. That leather piece was suspended around his neck by a rawhide thong. The man in those days did not wear such a coat as we wear now. He wore a leather surtout, which had no collar on it. Consequently this thong sawed the back of his neck, until some genius decided to put a collar on a surtout. It was put there, and this thong was put back of that. This turned the collar high up around the man's neck, so he took a jackknife and cut a notch in each side of it for the thong to come through.

But ladies, men talk to you about following fashions. That was hundreds of years ago, but every blooming daddy in this room has a notch in his collar. It serves no useful purpose on earth. It is simply a part of his inheritance tax from those old feudal baron days. But you could not hire him to go down-town with a coat on that did not have a notch in it.

On Sunday, the International President, who spoke at one of our churches, here, had on a cutaway coat. On the back of it were a couple of buttons. Those buttons are on the back of every frock coat that has ever been made in the world, and on the back of every dress coat. They serve no useful purpose except to scratch the mahogany furniture and get tangled in ladies' shawls when we dance. They came from a little later stage in our civilization when every man wore a sword. Those two buttons were put back there so that the sword belt would not slip down. We no longer wear swords. In those days if you opened a jackpot on three aces and some other fellow

sat in and drew two cards and came out with a club flush you could give him what he really deserved. Nowadays you can't do anything but just swear about it. But still they have those two buttons on the back of our coats, and probably will have them on until the end of time, a part of our inheritance tax from the days when men wore swords.

Look at the back of your sleeve. You have a couple of buttons there. The same buttons that turned over the inkstand! The same buttons that spilled that cup of coffee in your lap! The same buttons that drag the papers off your table into the wastebasket and lose them. Back at about this same time men thought that it was the mark of a gentleman to have clean, pretty, white hands in order to show that they never worked. They wore a long fichu or jabot of lace which hung down over their hands. That lace was buttoned into their sleeve with a couple of buttons. We all work. Our hands are horny and hard. But we still have that inheritance tax and those two cussed little buttons on the back of our sleeve. There isn't a man in this room who does not worry the life out of his wife until she sews it back on for him, if he happens to lose one of them, a perfectly useless bit of inheritance tax from some of our old ancestors.

Coming down just a little closer, our ancestors worked in the fields, a great many of them, peasants in Europe, and, like some of the peasants in Europe still, they wore smocks. The smock became annoying when they climbed fences and when they rode a horse, so they gathered her up and stuffed her in. A shirt tail isn't a bit more use to a man than a third hand, and yet, there it is, a foot and a half of it. That thing should have been cut off and buttons put on it as a little boy's shirt waist. But we have worn that foot and a half ever since, as a part of our inheritance tax, and it serves no useful purpose except to give us this balloon tire effect in the center. Those are but the surface, trifling indications of things which we have inherited from our ancestors.

There are some other things which we have inherited which are not half so funny or half so nice. Through all those ages of which I have been speaking to you, men were selfish—every man for himself, and the devil take the hindmost, every man fighting for

what he saw, regardless of whether he was entitled to it, or not. Through all those ages might made right, and you and I and every one of us as a part of our inheritance tax have, down deep in our make-up, inherited selfishness. If we are made up of the inherited traits of our ancestors then our children are going to be made up of some of our inherited traits. Are we passing on to them the selfishness which we inherited, or are we going to pass on down to them some of the principles of this wonderful organization? You can take all of these reports, all of this work, and everything that we are doing, boil them all down into that little Golden Rule and it covers them all—the essence of unselfishness. And if we, as Kiwanians make the impression on this age that we are trying to make, then some day its historians will say that our influence on this day and this age was to give our children and our children's children a little less of that selfishness which has been so characteristic of the ages which have preceded us.

I sometimes think, although Kiwanis has been going on for ten years, that we lose some of our enthusiasm, that we do this work almost mechanically.

In East India there is a legend that Buddha once lived on earth as a man and that during those times one night he was overtaken by a storm and sought shelter in the humble hut of a fisherman who took care of him, gave him his supper, gave him a bed, gave him his breakfast, with no knowledge whatever of who his guest was. In the morning before he departed, the great Buddha said to him, "I am the great Buddha. You have been kind. You have been unselfish to me, and I will grant you any wish you may make." The man, being poor, of course asked for gold. The great Buddha told him that gold suddenly acquired without effort was a curse and not a blessing. He would give him the gold, but he would also give him a method of earning it. He told him that in the little horseshoe curved beach in front of his house was a pebble which, if he would touch it to iron, would transmute the iron to gold.

This East Indian wore an iron bracelet on his wrist. He started that morning in his search of this pebble beginning way up at one end of the beach, picking up pebble after pebble and touching it to the iron and throwing it into the sea so he would not get it again.

He worked on up until noon picking up the pebbles and touching the bracelet, until by noon he got a crick in his neck. The sun was hot. The perspiration poured down, and after a while this motion became mechanical, and directly he looked down and the bracelet had turned to gold and the pebble had been tossed into the sea. I sometimes think that when we do our Kiwanis work in such a mechanical sort of way just over and over as a matter of rote that we are liable to lose the real gold of the service that we are rendering because we have ceased to enjoy it and it has become a task.

When men say to me, "I am not so much interested in anything outside of my own town," they give me the idea that there is a certain amount of selfishness there. And yet I never tell them so. If each Kiwanis club functioned in the town where it lives then every town would be taken care of and we would not need to worry so much about the outside.

Just one more thought. A little child lived high up on the side of a mountain. On that mountain-side it looked always from its infancy across to the opposite slope where there was a house, which on sunny mornings had perfectly golden windows when the sun struck them. This child had learned to speak of the house across on the other mountain-side as the house with the golden windows and always dreamed of the day when it could go over and see those wonderful golden windows. It grew up, became stronger, and eventually started from this house to go over and see the house with the golden windows. It started in the early morning, climbed down the side of the mountain, scratching its hands and tearing its clothes until it came to the stream in the valley, where it got wet; up that side of the mountain, and eventually came to a house. And there were no golden windows there. It went into the house and asked another child if it could tell him where the house with the golden windows was. The child said, "Certainly, come out on the verandah and I will show it to you." He took this child out on the verandah and pointing back at his home where the rays of the sun were striking on his windows, said "There is the house with the golden windows. I have always wanted to go to it."

Oftentimes in our lives we do struggle and fight and work and tear our hands getting away off yonder somewhere to something

that looks so good to us, only to find that the opportunity for service we left at home. If we get a careful survey of the town in which we live, if we look there for service as Kiwanians, almost invariably we can find it just as easily as we can work for something away over on the other side of the world, away over on that other mountain peak where things look so much better to us.

Randall Caton from down in Washington tells the story of an old professor in a college who sometimes became a bit long-winded. One morning he said to one of his boys, "Jones, I don't mind your looking at your watch, but I do object to your putting it to your ear to see if it is still going." I saw a man looking at his watch, so I am going to give you just one little fragment of poetry and them I am going to stop.

The little fragment of poetry is this:

> If your nose is close to the grindstone rough
> And you keep it down there long enough,
> You will soon forget there are such things
> As a brook with babbles and a bird which sings.
> Three things your whole world will compose,
> Yourself, the stone, and your darned old nose.

[illegible]

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